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EVIDENCE

TAKEN BEFORE THE

MARINE AND FISHERIES COMMITTEE

RESPECTING

THE LOBSTER INDUSTRY

DURING THE

SESSION OF 1909

PRINTED BY ORDER OF PARLIAMENT



OTTAWA

PRINTED BY C. H. PARMELEE, PRINTER TO THE KING'S MOST
EXCELLENT MAJESTY

1909

[App. No. 3—1909]





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ORDER OF REFERENCE.

HOUSE OF COMMONS,

FRIDAY, February 26, 1909.

Ordered,—That the following Members do compose the Select Standing Committee on Marine and Fisheries:—

Messieurs

Bickerdike,	Gervais,	Sinclair,
Bradbury,	Jameson,	Smith (Nanaimo),
Brodeur,	Kyte,	Sutherland,
Chisholm (Inverness),	Maclean (Lunenburg)	Taylor (New Westminster),
Clarke (Essex),	McKenzie,	Todd,
Crosby,	Middlebro,	Turgeon,
Currie (Simcoe),	Monk,	Warburton.—25.
Daniel,	Nantel,	
Fraser,	Pardee,	

And that the quorum of the said Committee do consist of ten Members.

Ordered,—That the said Committee be empowered to examine and inquire into all such matters and things as may be referred to it by the House; and report from time to time its observations and opinions thereon; with power to send for persons, papers and records.

Attest.

THOS. B. FLINT,
Clerk of the House.

WEDNESDAY, March 3, 1909.

Ordered,—That that part of the Report of the Department of Marine and Fisheries, for the year ending March 31, 1908, relating to lobsters and oysters be referred to the said Committee.

Attest.

THOS. B. FLINT,
Clerk of the House.

THURSDAY, March 4, 1909.

Ordered,—That the said Committee have leave to sit while the House is in session.

Attest.

THOS. B. FLINT,
Clerk of the House.

THURSDAY, March 11, 1909.

Ordered,—That the evidence being taken in connection with the lobster industry be printed from day to day, and that Rule 72 be suspended in relation thereto.

Attest.

THOS. B. FLINT,
Clerk of the House.

9 EDWARD VII., A. 1909

MONDAY, March 15, 1909.

Ordered,—That the Report of the Dominion Fisheries Commission, Georgian Bay and adjacent waters, 1905-S, Sessional Paper, 1908, be referred to the said Committee.
Attest.

THOS. B. FLINT,
Clerk of the House.

TUESDAY, March 30, 1909.

Ordered,—That the Report of the Georgian Bay Fisheries Commission be referred to the said Committee for the purpose of examining the Commissioners.
Attest.

THOS. B. FLINT,
Clerk of the House

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EXTRACT FROM MINUTES OF PROCEEDINGS.

"The meeting being called to order by the Clerk, on motion of the Hon. Mr. Brodeur, Minister of Marine and Fisheries, seconded by Mr. Daniel, Mr. J. H. Sinclair (Guysborough) was unanimously chosen chairman."

FINAL REPORTS OF COMMITTEE.

Mr. Sinclair, from the Select Standing Committee on Marine and Fisheries, presented the Fifth Report of the said Committee, which is as follows:—

Having summoned and examined, besides the officials of the Department, a number of witnesses from the Maritime Provinces in connection with the lobster industry, your Committee ask leave to pursue the inquiry further, and would make the following recommendations:—

1st. That the evidence taken by the Committee be printed as an Appendix to the Journals, and that in addition 30,000 copies be printed for distribution.

2nd. That such distribution be made from the House of Commons under the instructions of the Clerk of the Committee and in accordance with lists of names to be provided by Members of Parliament.

3rd. That the Department forthwith take steps to ascertain what proportion of the lobsters taken is undersized.

4th. That the Governor in Council appoint a Commissioner to visit, during the recess, the chief points in the Maritime Provinces where the lobster industry is carried on and take further evidence under the direction of the Minister for the information of the Committee; and for that purpose we would respectfully recommend that Thomas S. Howe, the Clerk of the Committee, be the said Commissioner.

Mr. Sinclair, from the Select Standing Committee on Marine and Fisheries, presented the Sixth Report of the said Committee, which is as follows:—

Your Committee recommend that the Governor in Council appoint a Commissioner to visit, during the recess, the chief points in the Maritime Provinces where the Lobster industry is carried on and take further evidence under the direction of the Minister for the information of the Committee, and that an officer of the Department be the said Commissioner.

MINUTES OF EVIDENCE

MINUTES OF EVIDENCE

HOUSE OF COMMONS,

COMMITTEE ROOM No. 32,

MONDAY, March 8, 1909.

The Select Standing Committee on Marine and Fisheries met at 11 o'clock a.m., the Chairman, Mr. Sinclair, presiding.

The CHAIRMAN.—Prof. Prince, Commissioner of Fisheries, is present this morning. I suppose we had better hear him first.

Mr. MACLEAN (Lunenburg).—I do not think it is wise to allow Prof. Prince to make a statement. I think it would be better for members of the committee to ask him questions.

The CHAIRMAN.—Prof. Prince wishes to make a few remarks which will only occupy about 10 minutes on the subject of lobsters. After that he is willing to answer any questions he may be asked. What do you think of that?

Mr. MACLEAN (Lunenburg).—It is all right if he will keep the time down to ten minutes. Let me say though that the other day I asked some officer of the department for an extract of the laws and regulations respecting the lobster fisheries. Mr. Found has kindly supplied it and I would like to have the information tendered in evidence and printed in the proceedings.

(For extract of Laws and Regulations, see page 26.)

Hon. Mr. BRODEUR.—There is also a report of the Canadian Lobster Commission, 1898, which, of course, will give a great deal of information. We might supply the members of the committee with a copy of this report.

Mr. MACLEAN (Lunenburg).—I would like to suggest that we should be supplied with a copy of the evidence given each day as it is printed so that every member may have a copy of the evidence on file.

Mr. DANIEL.—You mean to have printed reports of the evidence the same as in the Public Accounts Committee.

Mr. MACLEAN (Lunenburg).—What I mean is to have the evidence printed as it is given. Then instead of printing the whole of the documents from the department in the proceedings in full it would do if each member of the committee had copies on his file.

Hon. Mr. BRODEUR.—I do not know whether we have enough copies of the Lobster Commissioner's report to supply each member of the committee with one.

Mr. MACLEAN (Lunenburg).—I have been thinking since our last meeting that perhaps some of the members, those from Nova Scotia especially, presumed too much in suggesting that we take up the matter of the lobster fishery and continue our investigation along that line for some days. I was thinking afterwards that perhaps we did not make clear to other members of the committee from the other provinces what the proposition was. They may think their provincial interests are just as important as the lobster fishery. It would be well, however, if we had the understanding that the investigation into the lobster fishery be continued until completed. Perhaps the members from other provinces will be satisfied with that.

Mr. TODD.—Speaking for my county, Charlotte county, the proposition is very acceptable to me because the lobster fishery is a large industry with us.

Mr. CROSBY.—I think we should go on with something.

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Mr. DANIEL.—I do not think there is very much difference of opinion as to where we should start. The point is to get started.

Hon. Mr. BRODEUR.—Yes, we have got to get started.

The CHAIRMAN.—I think it is open to any member to ask the House to refer to the committee any question that he wishes to be dealt with before us.

Mr. MACLEAN (Lunenburg).—Yes, but I hope the matter will not be dealt with quite in that way. I hope we will not be taking up lobsters one day, smelts the next day, and so on.

Hon. Mr. BRODEUR.—Let us inquire into the question of lobsters.

The CHAIRMAN.—We are going to take up the lobster question first because it is said to be the most important, the most pressing question, in the maritime provinces at present.

Mr. CROSBY.—As I understand we are going to hear Prof. Prince.

The CHAIRMAN.—Prof. Prince, will you take the stand, please.

Copy of the Canadian Fisheries Act and regulations relating to lobsters filed.

Prof. E. E. PRINCE.—I am perfectly ready and willing to answer any questions that may be put to me by members of the committee, but I came here prepared to say a few words as to the lobster industry and the life history of the lobster. I am glad to have the opportunity of doing so because it will, I think, enable the members of the committee to ask questions and to make suggestions which will be of practical value. Otherwise many questions and many suggestions made will appear to an expert, perhaps not altogether appropriate and in some cases impracticable. I cannot, however, proceed with the few words I have to say—and I think I shall try and keep within the ten minutes to which Mr. Maclean referred—without expressing the pleasure I feel as principal officer of the Fisheries Department at the formation of this committee. During the seventeen years since I was appointed Commissioner of Fisheries for the Dominion, I have felt keenly that this subject of fisheries as a parliamentary subject has been less prominent than some others, for example agriculture, and I am very glad indeed that it is during the regime of Hon. Mr. Brodeur, who has done so much to foster the fishing industries, that this step has been taken and a Fisheries Committee of the House of Commons constituted. I am satisfied that this will do an immense amount of good. There can be little doubt whatever that the Fisheries Department has in some cases been hampered by the fact that members of parliament have not had opportunities such as this committee will afford of discussing and ventilating fishery questions. I think it is also a very happy circumstance that the lobster fishery has been taken up first of all because it is one of the most pressing fishery questions in the Dominion of Canada. The lobster fishery, as most of you know, ranks at present second so far as regards value. The salmon fishery stands first with a value of over \$5,000,000 according to the latest statistics, the lobster fishery comes next with a value of over \$4,000,000, and the cod next, with a value of a little over three and a half million dollars. The lobster is usually called a shell-fish, but it has really nothing in common with other shell fishes such as the oyster and the clam. It is a crustacean like the crab and the shrimp and has certain peculiar habits and modes of life. In the second place the lobster is local in its habitat, that is it does not move about over great distances. That is an important fact to remember, that each locality has practically its own race or run of lobsters and it only moves about as it is stimulated by the needs of food, of temperature, and of the season such as the approach of the breeding season. In the third place the lobster produces eggs, but does not deposit them in the sand or under rocks as some fishermen have imagined. It carries its eggs about attached to its body and they are carried for a considerable time until the young hatch out. The female lobster, unlike so many marine animals, does not scatter its eggs or deposit them in any particular location but they are

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glued or attached by tenacious threads to the body and they are not impregnated or fertilized until the female has pressed them out or extruded them. The male lobster places what is called sperm matter on the underside of the body of the female and this sperm matter remains sometimes for months before the eggs are extruded. If a female is not fertilized it is probable that the eggs are not extruded. Then in the fifth place it is certain that a ten and a half-inch lobster is fully matured and that lobsters under that size produce proportionately fewer eggs though there may be lobsters of even seven and a half to eight inches at times bearing eggs, diminutive specimens though they may be. Years ago in what might be termed the virgin condition of the fisheries, large lobsters prevailed in all districts but the average size has since diminished in almost every locality. In the next place July and August are the main spawning months. Only about 20 per cent of the females extrude their eggs in other months; but whether the lobster spawns every year or every two years is still a matter of controversy. I have taken myself quite a prominent part in this discussion with Prof. Herrick and others on the question of the annual or biennial spawning of lobsters. That, of course, is a scientific question which need not occupy your attention to-day.

By Mr. Maclean (Lunenburg):

Q. What are your views?—A. I am inclined to think the lobster spawns annually as most of the marine animals do. Indeed some crustaceans belonging to the same family as the lobster spawn twice every year. Then in the next place as to the number of eggs: the number of eggs increases very much more rapidly as the size of the lobster increases. An 8-inch lobster may have 5,000 eggs, a 10-inch lobster 10,000 eggs, a 12-inch lobster 20,000 eggs. A 16½-inch lobster caught at Wood's Hole, Mass., in 1895, was examined and found to have 85,000 eggs. The eighth point is that when hatching begins it occupies only about a week. The mass of eggs on the female is hatched out in a very short time. That makes the process of lobster hatching in the hatcheries a very short one. The eggs are hatched out very rapidly after the female has carried them for some time. The ninth point is that the lobster on hatching out makes for the open sea. It does not remain on the bottom or in-shore but goes out into the open waters and swims about not as the adult lobster tail foremost, but head foremost. It is a very minute creature only about a third of an inch in length. It swims forward near the surface for six or eight weeks in company with a great many other pelagic or surface swimming animals out in the open sea. At that time they are fed upon very largely by other fishes. The mackerel especially feed upon young lobsters and wherever young lobsters are abundant on the surface of the sea the mackerel school there. Consequently we have to face this fact: They form the food of a very large number of fishes in the sea. That destruction means that there must be a very large quantity of young lobsters to keep up the lobster supply at all. Then the next point is that when the lobster has about doubled its length, that is when it is about three-fifths of an inch in length, it sinks to the bottom of the sea. It then travels shorewards and hides about the rocky ledges, the piles of wharfs and piers and so on. It grows there, close in shore, to a length of 2½ or 3 inches.

By the Chairman:

Q. How long does it take the lobster to grow?—A. It doubles its length in about 6 or 8 weeks, and within a year it would be three or four inches long. The lobster is fond of living amongst eel grass at this time and it grows at the rate of 1½ to 2 inches every year so that the lobster is a slower growing animal than one would imagine. You can see, therefore, that when the large lobsters of a certain size are all cleaned out of any locality it will be some time before you can have big lobsters to replace them; the average size will be small for some time.

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By Hon. Mr. Brodeur:

Q. How long does it take the lobster to reach eight inches?—A. An eight-inch lobster would be in its third year and the ten-inch lobster in its fourth year, so far as observations have gone.

By the Chairman:

Q. Is that information gathered from actual observations?—A. Yes, from actual observations. Now, I hope this committee will have the advantage of expert officers not only from our own fisheries, but those of the United States. Dr. A. D. Mead in the neighbouring republic has been hatching lobsters by a new method and is able to rear them to a considerable size. He puts the lobsters in a floating enclosure photographs of which I have here and will pass around for the inspection of members of the committee (photographs passed around). Dr. Mead puts the lobsters in a floating enclosure and has what he calls an oar or paddle arrangement. This oar is sent revolving around in the enclosure and the sea water is kept in continual motion so that the young lobsters are kept continually swimming after they are hatched out and placed in this enclosure. The young lobsters not only swim very rapidly, but they grow much more quickly than they would in still water ponds or mere tidal enclosures. I might go on, gentlemen, to make a few more remarks as to what my observations lead to, but I think perhaps I might now leave the subject in the hands of the committee to ask questions.

Mr. MACLEAN (Lunenburg).—Go on professor.

Prof. PRINCE.—I do not wish to occupy the time of the committee. Well, the practical questions that arise from the remarks that I have made are these: First of all I fear that in-shore breeding ponds such as have been recommended, where the lobsters may hatch out their eggs, are not likely to be successful, because the young lobsters hatched out in such ponds are not under natural conditions, the in-shore conditions are quite different from those in the open sea. Now, Dr. Mead's system to which I have referred, reproduces—

By the Chairman:

Q. You do not approve of in-shore breeding?—A. Breeding pounds, I distinguish from these pounds like the Baker pounds in Cape Breton which, as I have explained, are not breeding pounds. Dr. Mead's experiment reproduces conditions in the open sea very largely by producing currents and by keeping the lobsters near the surface under conditions which are very much like those in nature. Then the second point is that the lobsters must be largely caught at the breeding season because it is then when they come in-shore. They come in-shore for spawning in the warm months, and therefore it is impossible to carry out strictly a close season which will cover the whole breeding season of the lobsters, because that is practically the best time for catching them. They are out in deeper water at other times.

It was suggested by the commission of 1898 that reserves should be established at various points along the coast, which would not be fished for one or two seasons and that these reserves could be changed from year to year; that would mean that these temporary reserves, on which the taking of lobsters would not be allowed, would form breeding areas, from which adjacent areas would be stocked.

The third point I think is that it is really very desirable that berried lobsters and small lobsters should be returned to the water and not brought to the shore. Many fishermen do this now; I know of lobster cannery on the Atlantic coast who have carried out this policy of not keeping the small-sized and berried lobsters, and I can quote one example where the result has been that the lobsters have kept up very much more plentifully in the locality where this cannery operated. He had practical control of the ground, and is a very reliable man, and his cannery had no difficulty in getting a full supply of lobsters in the immediate locality, because the

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fishermen there put back the berried and small lobsters, and in the course of a few years the supply of good sized lobsters very much improved. Dr. J. N. Cobb, an officer of the United States Fish Commission, mentioned in his report many cases where the local men united together to bring only good-sized lobsters ashore and to put the small ones back into the sea, and they agreed on a short open season and he said the result has been that these men have made better catches than have been made in other localities. Dr. George W. Field, who is another expert, whose opinion is of great value, one of the Commissioners for the State of Massachusetts, has urged that lobsters over 10½ inches and under 9 inches be put back into the water, and that all others be taken, for the reason that the large female lobster carries very many more eggs than the small lobster. He says that if you save the large lobsters and put them back you will have better security for a large supply of young lobsters. The only difficulty, I think, about that is the very fact that I have yet to see the lobster fishermen who would willingly put back a 12-inch lobster into the water again, and it would be still more difficult to carry out Dr. Field's proposition that the present system of endeavouring to save the berried and small lobsters.

I should like to make another remark which is perhaps of scientific interest, but which I think is also a practical one; that is that the lobsters when placed in enclosures or kept in cars for the purpose of breeding, or any other purpose, the adult lobsters, cannot long be in a healthy condition because the heart of the lobster is situated in the middle of the back, and its main organs of circulation are also there, and the rays of the sun affect at once the heart and the circulation of the lobster and make it sick. So that the idea of forming an enclosure in which the lobsters may be kept in a healthy condition, unless there is a good depth of water, must lead to a large percentage of deaths. That is why the lobsters so frequently die in enclosures, because their circulation is affected. If you take a lobster and cut it open immediately under the shell in the middle of the back you will find the heart pulsating there. Thus the lobster cannot stand the heat of the sun's rays. I have other remarks about the statistics relating to the fisheries, but I think the members of the committee are sufficiently familiar with those, and I need not give them, but I shall be glad to answer any questions.

The CHAIRMAN.—Does any member wish to ask the professor any questions?

By Mr. Maclean (Lunenburg):

Q. I want to ask the professor a few general questions which do not relate particularly to the lobster fisheries, but I want them to go on the record because I want to find out something about the organization of the department. This is why it struck me at the time the proceedings opened that it would be better that the statement of Professor Prince should be delayed until I had placed upon the records the general information I desired to bring out upon that point.

Q. How long have you been in the Department of Marine and Fisheries of Canada, Professor Prince?—A. I was appointed in October, 1892, by order in council.

Q. You are experienced in the scientific side of fish culture?—A. Yes.

Q. That has been your work?—A. That was largely my work, and investigation of the fishing grounds.

Q. Where were you employed before you came to Canada?—A. My work was confined to Scotland, England and Ireland.

Q. You were in the government employ there?—A. I was in the government employ in Ireland only; under the Irish government I carried on, as an expert, investigations into the fishing grounds of the west of Ireland; in Scotland I was assisted by the Scottish Fishery Board, but I was not an officer of the board, I was then professor in one of the colleges in Scotland, and I carried on fishery surveys in England under the Northern Fishery Council.

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Q. What is the title of your position in the Marine and Fisheries Department here?—A. My exact title is Commissioner of Fisheries and General Inspector of Fisheries for Canada.

Q. Then you are head of the Fisheries Branch of the Marine and Fisheries Department, are you?—A. I was appointed rather as adviser to the department, and my work for the first few months in Canada consisted in dealing with matters referred to me of a special nature, relating to the habits of fish, or the modes of fishing, all such matters were referred to me for report. But one minister after another gradually put upon me other work, which did not belong to me, until I became one of the principal administrative officers of the department. For some years, for ten years perhaps, I was the chief administrative officer of the department, which threw upon me a lot of work which was not expert work at all, but purely internal and external administrative work.

Q. Are you the administrative officer of the department?—A. Up to the present moment my work has largely been of that nature.

Q. Well, who in that department is at the head of the fisheries?—A. Of course there is Mr. Venning, who is the Assistant Commissioner of Fisheries.

Q. If the commissioner's duties are not administrative, are not fixed, I suppose that the assistant's are not, are they?—A. As a matter of fact the deputy minister is really the administrative head of the department.

Q. He cannot attend to the details?—A. No.

Q. What officer, if any, of the Department of Marine and Fisheries is specially charged with the administration of the fisheries of this country?—A. I was going to express the opinion it would rest between Mr. Venning and myself. Mr. Venning takes, very largely, the administrative work in the department.

Q. You are not sure of that, are you?—A. Well, as a matter of fact, I am going by the terms of my appointment which show that I was not the administrative head, but practically I have been.

Q. I see that you have been appointed on that Waterways Commission, have you?—A. No, it is the International Fisheries Commission to which you refer.

Q. Will that take up much of your time?—A. At certain periods it will, but then, at other times it will not occupy me so closely. The commission, by treaty, has the power of meeting whenever occasion requires, whenever anything arises in connection with the international fisheries which will call for some action, the commissioners will meet.

Q. It will take up some time?—A. It is bound to take up a considerable part of my time.

Q. I saw in the paper some time ago, I do not know whether I am correct or not, but I think I saw that you were appointed by the government to confer with the provinces respecting the question of the jurisdiction of the Dominion and the provinces respectively under the recent fisheries decision, is that correct, or did I understand the report?—A. I am afraid that is a misunderstanding.

Q. What other work do you do in the department, regular work or intermittent work?—A. During the last four or five years I have been very frequently away, having been appointed chairman of special commissions of investigation and these therefore, interrupted the regular work which I did before that.

Q. Does not that interfere greatly with your work?—A. It has interfered very considerably with my work.

Q. Then there is no one in the department who has devoted his time to the question of the fisheries, even to the scientific side, is there?—A. There is, of course, the Biological Board, of which I am chairman, which carries on investigations into the fisheries at three biological stations which have been founded by the government for specially investigating fishery matters. One is at Passamaquoddy bay, in the Bay of Fundy; another is in British Columbia, and another is on the Great Lakes, in

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Georgian bay. Each of these stations has a staff of honorary workers, as well as some assisted workers, who are chiefly specialists from the Canadian universities. I superintend these researches.

Q. You have then a biological board at work on the scientific side?—A. They are doing very good work and have received very high praise from various sources.

Q. Who is left in the department to look after the administration?—A. That is left, as in past times, to the assistant commissioner, who was for many years chief clerk, with some of his assistants to carry on that work.

Q. His time is occupied with a great many other things, is it not?—A. Mr. Venning is here, he can answer for himself as to that.

Q. Do you think that the organization of the department regarding fisheries is such that we get the attention given to the fisheries that we should have?—A. I think, as compared with foreign fishery administrations, that the officers of the department in Ottawa, as a general rule, have done more effective work for the fisheries than any other department in the world. The officers of the department in the United States, say, practically do very little directly for the fisheries except in hatching fish. They administer no laws and have no supervision.

Q. Who is the officer of the department especially charged with the administration of the lobster fisheries, is there anybody?—A. That would fall in common with the rest of the department's work, the lobster fisheries are not separated especially.

Q. Is there not an officer named Finlayson, who is attached as a technical officer to the lobster bureau?

By Hon. Mr. Brodeur:

Q. To the Fish Hatchery Branch?—A. He is assistant in the fish hatchery, I think he is called inspector; Mr. Cunningham is the Superintendent of Hatcheries.

By Mr. Maclean:

Q. What branch is Mr. Cunningham the head of?—A. He is in charge of the work in all the fish hatcheries of the Dominion; he consults with me, he comes to me and discusses matters at times, but the work which I carried on for so many years is now entirely in his hands.

Q. Supposing representations are received, say from the maritime provinces, asking that the lobster season in each district be lengthened or shortened, who looks after that?—A. That matter would be referred to the Commissioner of Fisheries for his views.

Q. That is yourself?—A. That is myself.

Q. And the matter of the establishment of pounds, would that be referred to you?—A. The matter of pounds is one that I have dealt with at very great length in various reports in past years.

Q. Do you travel much in, say, the maritime provinces?—A. I think I have travelled more than any other officer in the fisheries service.

Q. How often do you come down there?—A. Some years I may be down to Halifax and on the coast three or four times, and then I may be called to the Pacific coast for a year or two.

Q. I am not desiring to ask you embarrassing questions at all, I am simply impressed with the idea that there is not the close attention given to the administration of the fisheries that should be, and I just want to find out the facts. You say you go to Halifax two or three times a year; how long do your visits last, or are these visits occasioned by special business?—A. I am usually called down by some special request to attend to special business, and then I always take advantage of the opportunity—in fact as a rule I am instructed by the minister to do so—to attend to other matters while down there.

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By Hon. Mr. Brodeur:

Q. Did you not pass a large portion of your time in the maritime provinces last summer?—A. I travelled for months in the maritime provinces last summer.

By Mr. Maclean:

Q. What were you doing when there?—A. My chief work was in connection with the shad fisheries.

Q. You were on what is called special business?—A. That is what called me down there primarily.

Q. Does anybody in the department ever go through the maritime provinces interviewing people along the coast, obtaining their views upon questions relating to the fisheries or doing research work?—A. Well, that is exactly the work I have done for so many years.

Q. You have done that work intermittently, but is there any one who does it regularly?—A. Well, I have done it pretty constantly.

Q. You have heard the suggestion about the Fisheries Board?—A. Yes, I had that brought before me by the Board of Trade of Halifax the last time I was there.

Q. Have you any opinion about that?—A. I feel that the only difficulty arises from the fact that one locality has no more right to a Fishery Board than another; and it seems, therefore, that a centralized body such as a committee of this House would be better than a Fishery Board. Local boards are bound to be biased; I mean by that that there would be a larger proportion of one class of men than of another upon it; it may be that the fishermen would have the majority on the board, or the capitalists might have the greater number—something of that kind, you know what I mean.

Q. I want you to give me a list of what are debateable questions in the maritime provinces respecting the lobster fishery, can you enumerate them—that is those subjects which are debatable and on which you find a variety of opinions?—A. I can name them.

Q. I want to get that before us so that we may pursue our inquiries along the line of those questions upon which there is a diversity of opinion?—A. In the first place there is a considerable diversity of opinion as to the best months for a close season.

Q. That is No. 1—do not argue the points, but just simply state what the questions are?—A. In the second place there is a considerable feeling that lobster hatcheries would be a better step to improve the fisheries than the present method trying to preserve the berried lobsters; the third is that a short open season without other restrictions would save the lobster industry.

Q. That is No. 3, what other questions are there?—A. There is also a good deal of discussion as to the fairness of requiring a lobster license and restricting the number of licenses.

Q. That is No. 4, now what about 'pounds,' is that a debatable question?—A. Would that not come under hatcheries?

Q. No, it would not?—A. Well, the lobster pound question is one that has been strongly pressed.

Hon. Mr. BRODEUR.—That is lobster pounds by themselves?

Mr. MACLEAN.—Yes.

Hon. Mr. BRODEUR.—Not in connection with the hatcheries?

A. You mean by a lobster 'pound' a pound in which the lobsters are kept in the open season and afterwards during the close season replaced in the sea?

Mr. MACLEAN.—Yes.

The CHAIRMAN.—There is also the question of the exportation of berried lobsters.

Hon. Mr. BRODEUR.—Yes, and also the question of the size of lobsters?

A. Then there is, seventh, the wisdom of permitting berried lobsters, or female

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lobsters to be exported to the United States in large quantities as they are at present. There is the question as to the amount of gear, that the amount of gear and the number of traps should be limited, and that can only be done by the department issuing a lobster permit or license which is, of course, an extremely unpopular measure with the fishermen.

By Mr. Maclean:

Q. The other day I asked you to prepare a statement showing the boundaries of the different districts in the maritime provinces?—A. That is shown on the map which has been produced.

Q. I would rather have it typewritten so that it may go on the record.

Hon. Mr. BRODEUR.—You have it also in the report of the Canadian Lobster Commission; the first map in that report shows you the different sections.

Mr. MACLEAN.—I want it in such shape that it can be put upon the records of this committee and I would like Professor Prince to prepare a statement for the next meeting, giving the name of each district, its boundaries, the date of the opening and the closing of the season, and the size of lobsters permitted to be caught in that particular district. If he will prepare it in tabular form it can go on the records of the committee.

By Mr. Maclean:

Q. Did the Lobster Commission of 1898 recommend anything that was carried out?—A. Oh, yes, most of its recommendations were carried out, the close seasons and the size limits now in force were those recommended by that committee.

Hon. Mr. BRODEUR.—With regard to the request of Mr. Maclean for information, I would inform the committee that in the report that has been published in 1904 by the American authorities, the Massachusetts Fish and Game Commissioners, there is a statement, supplied by the officers of the department here showing the limits of each geographical district, the open seasons, and the size limit. There have been some small changes made since this was prepared, but what I want to know from the committee is whether information, revised to date, in the form in which it is given here, would meet the wishes of the committee.

The CHAIRMAN.—The information in that form would, I think, be quite satisfactory.

Hon. Mr. BRODEUR.—Then I will have it prepared.

By Mr. Maclean:

Q. Do you devote much time to other fisheries in Canada, outside the lobster fishery, in the course of the year?—A. Yes, I have devoted a good deal of attention to the other fisheries, such as the shad fishery and the salmon and sturgeon fishery, and, of course, to the deep-sea fisheries, such as the cod and herring fishery. The deep-sea fisheries are not so easily handled, that is to say there is less to be done from a legislative or administrative point of view except as regards the methods of curing and so on, and the department has carried out a system of drying by mechanical methods, by the use of the fish drier.

Q. What has the department been doing towards educating our fishermen in the manner of fish curing?—A. We have given them the advantage of instruction by an experienced Scottish herring curer.

Q. Are you prepared to give an opinion on these debatable questions that you have enumerated, or would you prefer to have some time in order to bring a typewritten statement of your views?—A. I really think it would help this committee more if I did bring typewritten statements and distributed them among the members before you took the matter up again. I could give my views now, but I think it

would be of advantage to the committee to have the typewritten statement before them.

Q. Have you opinions about them or are you agnostic about some of them?—A. No, sir, I have formed my opinions.

By the Chairman:

Q. Do you approve of a restriction of the number of licenses to pack lobsters?—A. Yes, I approve of a restriction of the number of packing licenses.

By Mr. Warburton:

Q. Would you approve of restricting the number of licenses and at the same time allow unlimited catching?—A. I was going to state, Mr. Warburton, that there should be also some kind of permit issued to lobster fishermen so that the fishing might be kept under control.

By Hon. Mr. Brodeur:

Q. You would restrict the number of traps?—A. As in all other fisheries.

By Mr. Warburton:

Q. I have information from fishermen of Prince Edward Island that this year some of the packers were doubling the number of traps, and I think we have enough traps already. You say that the number of lobsters has increased and the size has increased in some cases, is that the case on the north shore of Prince Edward Island?—A. You are speaking now of a period of twenty or thirty years?

Q. No, within the last few years. I know that thirty years ago they were larger in size, but as compared with four or five or six years ago, how does the number of lobsters and the size of them compare now with four or five years ago?—A. I think there has not been that marked decline during the past two or three years, but that I attribute to temporary fluctuation—that applies to several localities where there has been an improvement in regard to the number of lobsters.

Q. My information from the north shore is that the quantity of lobsters has greatly increased in the last two or three years, and that there has also been an increase in the size, but on the south shore there has been a falling off?—A. I think that is explained by what is called fluctuations, which occur in all fisheries, and is not evidence of a permanent improvement such as one would like to see.

Q. Now at present, I understand, the fishermen are going farther out to sea and really striking at the mother home of the lobster. What would be the effect of their going outside the old limits in which they used to fish?—A. The effect of that will be that the full grown females will be caught more numerously; but if the lobster fishing could be kept out a little distance from the shore it would enable the schools of small immature lobsters which come in shore to be better protected. That would be a method of preserving the supply.

Q. There was a matter of administration in the department, regarding the officials, to which Mr. Maclean called attention but he did not go into the subject in such detail, or as fully, as I would like. The Department of Marine and Fisheries is an enormous department, is it not?—A. Yes, it has a very complicated and extensive work to do.

Q. If I caught you right, the deputy minister is also an administrative officer of both the Marine and Fisheries branches of the department?—A. He has been for some years.

Q. Is it possible for one man to do all that work?—A. That is a question I would hardly like to answer. I have my own views and I should certainly say the appointment of a Deputy Minister of Fisheries would be an admirable step.

Mr. WARBURTON.—That is what I am trying to get at.

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Hon. Mr. BRODEUR.—I might state that in 1885 a Deputy Minister of Fisheries was appointed, and in 1901 or 1902, I do not remember the year exactly, the office was abolished.

Mr. WARBURTON.—I know that. I was under the impression that the abolition of that office was owing to the feeling which the then Minister of Marine and Fisheries entertained towards the then Deputy Minister of Fisheries. I may be wrong but that is the opinion I always had; the minister wanted to get clear of the official and in order to do that abolished the office. Anyway the point I want to get at is this: taking the Fisheries Branch, is that not of sufficient importance to have one deputy minister to look after it and administer affairs?—A. If the minister will allow me to answer that—

Hon. Mr. BRODEUR.—What is the question?

Mr. WARBURTON.—I am asking Prof. Prince, as a man who is acquainted with fishery matters and is specially charged with their care, is it not almost essential to have one looking after the administrative work of that one branch because the work of the department is enormous.

Hon. Mr. BRODEUR.—I have no objection to the Professor giving his opinion.

Prof. PRINCE.—The fisheries of this country have been growing in complexity and extending in every direction. Fisheries that did not exist 15 or 20 years ago are now large industries. On the Pacific coast and in the Northwest the fisheries are coming to the front and it seems to me it is absolutely essential that there should be some division as you refer to.

Q. Then if I am right, with two such very important subjects as marine and fisheries, the subject of marine is almost certain to overshadow the subject of fisheries?—A. That has really been the state of affairs; the marine has overshadowed the fisheries to some extent in the administrative work; but both branches have grown so that really they are almost unwieldy in the hands of one deputy minister.

Q. My opinion is that one man cannot handle both departments, I don't care how good he is. That is my impression although I may be wrong. Therefore, the natural inference from such a condition of affairs is that there ought to be a man whose sole business would be to look after the administrative matters of the Fisheries Branch?—A. In the United States there is a head official who looks after the fisheries and has no other work to do.

Q. Mr. Maclean asked you a few general questions in regard to other fisheries. I know the present investigation is confined to lobsters but I want to ask you one or two questions in regard to the oyster fishery if you can give us the information?—A. Would it not be as well to bring up the question of the oyster fishery on a special day?

Mr. WARBURTON.—Perhaps it would be just as well and, therefore, we will let that stand.

Mr. MACLEAN (Lunenburg).—Would it not be well to state what you want now and Prof. Prince could come here with a statement prepared on some other day.

Mr. WARBURTON.—I would like then, Prof. Prince, if you would submit to the committee a statement going back to say 1875—I think that would be a good place to start from, seeing that it was the first year in which any real trouble was taken with statistics—giving the shipment from all parts of Canada and showing the total catch of oysters during the years which have since elapsed. I would also like you to take some few of the most important oyster centres. I do not know those of New Brunswick or Nova Scotia and, therefore, I will rely upon other honourable gentlemen for them. But in regard to Prince Edward Island I would ask for information with regard to Richmond or Malpeque Bay; also Bedeque Bay, which is now included in the reports under the name of Summerside.

Mr. DANIEL.—Then there is Buctouche and Shediac in New Brunswick.

Mr. WARBURTON.—There is another place I want to get from the island. I have lots of names here but I want to get the places the very best oysters come from and

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to see what is happening to the industry. I want to get returns from Grand River in Prince County and Malpeque or Richmond Bay. I would combine those two. Then there is Summerside or Bedeque. That is the same thing, but Bedeque is the name it ought to go under. Then there is Travellers' Rest. I do not care about the other places, they are not very much. Then there is Shediac and Buctouche and Richmond and Shippigan, and Caraquet Bay, and River Denis Basin and Tracadie, Nova Scotia.

The CHAIRMAN.—Oysters are found along the Northumberland Strait.

Mr. WARBURTON.—There are a great many places besides those I have mentioned in Prince Edward Island where they get oysters, but I want to get the principal centres. What I want to call your attention to is that people are very apt to confuse Summerside and Bedeque oysters with the oysters on the north shore.

Prof. PRINCE.—Richmond Bay.

Mr. WARBURTON.—Yes, because they are all shipped to Summerside and that place is apt to get the credit for oysters that are not obtained there. I shall be very glad if you can give us that information. I think the department also has a report of the estimated acreage of oyster bottom in each of the principal places. You might produce that also.

By the Chairman:

Q. Will you tell us what the purpose is in restricting the number of licenses granted to pack lobsters?—A. The restriction of licenses for canning lobsters is in line with that of the issue of all fishery licenses, and implies that the authority which issues these licenses exercises a certain amount of discretion based on knowledge of the possibilities of the fisheries in the locality concerned. Every license issued by a fisheries department, in this country or any other country, implies that the department is exercising a certain amount of control and discretion and can grant or refuse licenses.

Q. I understand that during the past few years you have not issued any licenses to pack lobsters in the way that you formerly were accustomed to issue them. Why did you stop issuing licenses altogether?—A. I think perhaps that question might be put to the Assistant Commissioner, who is present. My own view is that the number of lobster canneries has quite reached the maximum in almost every locality and that to discourage the building of new canneries, or the operation of new canneries, is a good step in regard to the preservation of lobsters.

By Mr. Kyte:

Q. Who fixed that limit, who came to that conclusion?—A. As a rule the conclusion is arrived at in this way: the local officer reports to the inspector, and the inspector reports to us. We get a report from our inspector as to whether it is desirable to issue a license or not, and the inspector is supposed to act in accordance with the nature of the case.

Q. As a matter of fact no new license has been issued in Nova Scotia for several years, is that not correct?—A. I think that is not quite correct.

By the Chairman:

Q. Excepting to the Co-operative Fishermen's Union, that is correct?—A. That I think is correct.

By Mr. Kyte:

Q. But to individual packers no licenses have been issued?

Mr. MACLEAN (Lunenburg).—Well, the wisdom of that would depend upon the question as to whether or not there had been enough issued already.—A. A license,

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of course, is of no utility at all if there is such a thing as free canning. When you issue a license it means that somebody is going to be restricted.

By the Chairman:

Q. It is contended that the question depends more upon the number of fishermen engaged in the fishery and with the number of lobsters they take rather than upon the number of packing places that are constituted. What do you say as to that?—A. What I mean is this: that every man who starts a new cannery is another element in the question. It means adding to the gear already in existence. Every new cannery means new gear.

By Mr. Crosby:

Q. I judge the point of the Chairman's question to be this: the canners do not catch the lobsters, they simply can them. Supposing you added to the number of canneries you would not have any more men fishing?—A. Any more men?

Q. Yes?—A. Well, the number of lobster fishermen taking part in the catching of lobsters has increased up to within the last year or two.

Q. How many canneries have you got?—A. I do not know the exact number, I think a little over 700.

Mr. VENNING.—Between seven and eight hundred.

Q. I mean in Nova Scotia?—A. I think the number as given in the official report for Nova Scotia is 217 canneries.

Q. What was the number five or six years ago?—A. I am afraid I could not answer that. Probably 20 more canneries.

Q. There are not so many now as there were?—A. There has been a decrease since then.

By Mr. Jameson:

Q. In view of the fact that so many lobsters are shipped alive now to the United States do you think it would make any difference in the number of lobsters actually caught if greater facilities for canning were available?—A. Well, the case stands in this way: the canning of lobsters has really been a paying industry. There is such a very large demand for lobsters that every one who has gone into it has been able to make something out of it and the tendency, therefore, is for more people to go into the industry, and instead of the live lobster trade taking away from the canning industry, the latter has grown alongside of the former which, of course, is really going to end the lobster supply. Personally I am of opinion that ultimately the live lobster trade will entirely do away with canning altogether, and in a few years. It is the tendency in all food product industries to ship the product in what might be termed the nearest to the natural condition instead of manufactured condition. Canning is, to my mind, the worst method of putting up food product like the lobster. It is like canning fowls or turkeys, instead of shipping them whole, which is more remunerative.

Q. Would the result be simply because there would be more money in shipping them alive than there would be in preserving them?—A. Yes.

Q. That being the case do you not think that your argument in respect to the increase of these canneries is weak, because if the people have the opportunity of exporting them alive, which is more profitable, would not the same number of persons be engaged in the catching of lobsters as there would if allowed more canneries?—A. No, that is not the case because the live lobster trade requires large lobsters and the canneries will pack all the small ones, so that you have them destroyed in increased numbers on that account.

By Hon. Mr. Brodeur:

Q. On that point can you state what would be the average price per pound for live lobster and what price per pound of canned lobster and what advantage would

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there be to increase the live lobster business as against the canned lobster industry?—A. Well, speaking from memory, I think that 8 or 10 cents a pound would be the outside price of lobsters for canning whereas a live lobster would bring two or three times that amount sold by weight. As much as 40 cents each have been paid for live lobsters in some years, which is exceptional of course. There is far more money in the live lobster trade because, of course, in the weight of the live lobster the shell and everything else is counted in.

By Mr. Warburton:

Q. Supposing you went into the live lobster trade and dropped the other? Supposing you got a market would you not glut that market with live lobsters?—A. There again we are looking to one particular market for our live lobsters and that is the United States. Now there is an immense demand in Europe for live lobsters which has really not been developed and I anticipate that within a very few years it will increase. Norway is shipping practically every lobster it produces to London, and realizes five times the amount per lobster that our men earn. There is no reason in the world, bearing in mind the improved transportation facilities contemplated by the government such as a direct line to France—we already have direct lines to London—why live lobsters should not be shipped from Canada to those markets where better prices are got. You cannot glut the market of France, for example, because there is a demand for all the lobsters that can be shipped to that country.

By the Chairman:

Q. The Boston market is very easily glutted?—A. The Boston market is easily glutted because Massachusetts and Maine are its sources of lobster supply and they ship a very large amount of lobsters into their own markets. In Maine and Massachusetts there is no canning now. I think there is not a single lobster cannery in the United States at the present moment, I think I am right in that, and they find it pays better and preserves the lobster better to adopt the live lobster trade rather than the canning business. There is, of course, the method of boiling lobsters first and shipping them in cold storage. That method has been introduced latterly. The lobsters have been boiled and chilled and shipped in that way and it seems to me there is a great field open for shipping lobsters in that form to our own cities and the old country, where the lobster is quite a rarity. The same thing, I anticipate, will take place in the case of lobsters which was witnessed with respect to salmon. A few years ago salmon in England was a luxury which very few could enjoy. Now, immense quantities are being shipped from British Columbia, of chilled or frozen salmon. I think the same thing can be done with lobsters, that you can create a demand for lobsters which does not at present exist to the full extent. I think that if lobsters were sent into those European markets a great many people would buy them who do not do so at present because they are too costly.

By Mr. Maclean (Lunenburg):

Q. Is there anybody in the department attending to the commercial aspect of this question, is there any officer in charge?—A. As a matter of fact I made the proposition to the Marine and Fisheries Department some years ago that I should go over and undertake some work of that kind, opening up as it were, a few markets.

Q. But there is nobody to attend to that kind of work in the department?—A. The only department doing that kind of work is the Trade and Commerce Department. They are sending out circulars and opening up new markets by giving information. That department has got from us, the Fisheries Department, quite a lot of information.

Q. Is it of much good?—A. I have not had an opportunity of closely reading their weekly reports.

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By Mr. Bradbury:

Q. Does the condition of the lobster industry to-day indicate that there is very much diminution in the fisheries?—A. If the amount of gear which was fished 10 or 15 years ago were fished to-day the catches of lobsters would be very much smaller than they are. The amount of lobsters caught to-day has been simply kept up by taking lobsters that a few years ago would be rejected and by using five times the amount of gear.

Q. What does that mean in your estimation as far as the permanency of the industry is concerned?—A. There are two views as to that. One view is that the lobster industry has reached a serious crisis. My own view is that we have two reasons in Canada for not anticipating the collapse of the lobster industry. In the first place we have grounds that are unparalleled in the world as lobster grounds. Our shores have exactly the temperature and the physical character for lobsters to flourish and it is almost impossible to exterminate lobsters on the Canadian coast do what we will; there are so many refuges for them on our rocky shores and so on. In the next place the department has been replacing to a large extent the lobsters taken from the sea. During his regime Mr. Brodeur has authorized new hatcheries and grounds such as the Baker pound in Cape Breton, which has been replacing in the sea 50,000 berried lobsters for some years.

By the Chairman:

Q. How many?—A. 50,000 lobsters per annum.

Q. Is that all?—A. That is from the one pound. If only two out of every thousand young lobsters we place in the sea from the hatcheries reach a marketable size that will keep up the supply.

By Mr. Bradbury:

Q. You do not anticipate then any danger of the depletion of the lobster supply?—A. I do not anticipate extermination but I do anticipate a continued decrease.

Q. Where are the lobsters shipped to-day?—A. They are very largely shipped to the United States.

Q. Lobsters are becoming more of a luxury in Canada and the Canadian consumer has to pay more for them than before?—A. They are more expensive but some canners and dealers in Nova Scotia, and indeed other provinces, have been selling direct to French and English buyers and are doing far better than they did when shipping them through United States buyers. There are certain big lobster combinations in the United States that sometimes get control of a large number of canneries, for instance such as the Portland Packing Company, but it would be difficult to dislodge them. The Portland Packing Company has control of a large number of our canneries but that company has acted very wisely in some ways by helping the department in lobster protection. My own feeling is that if our canners could deal directly with the buyers in Europe they would reap far larger results. Of course, I know the difficulties in the way. Some lobster men have asked my advice and I have advised them to take a trip to London to study the conditions of the market for themselves. Some of them have done so and it has proved a beneficial trip for them. But there is one primary necessity: they must ship a good article and I am afraid that some of the lobsters packed in Canada would not stand the test if sold in London.

Q. Is it not a fact that the best lobsters are sent to the United States and only the 'seconds' are sold to our people?—A. Well, there is a rumour to that effect.

Q. That is the fact, that all our fisheries are under the control of Americans. We get the seconds and the Americans get the good fish.

Mr. MACLEAN (Lunenburg).—That is true in almost everything in the world.

Mr. BRADBURY.—That is something we want to guard against if we can.

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By Mr. Kyte:

Q. What is the condition of the lobster business in the State of Maine?—A. Well, there is no canneries there at all. In 1880 there were over 20 but in 1908 there were none. The live lobster trade is proving an extremely remunerative one. They have a good size limit. It was $10\frac{1}{2}$ inches, but it was reduced to 9 inches lately.

Q. How does the quantity of lobsters caught in the State of Maine compare with 20 years ago?—A. Well, the quantity is not anything like so large but they have considerable catches, about ten million pounds yearly in recent years.

Q. Are the conditions in Nova Scotia as favourable compared with the State of Maine?—A. The Maine coast is not as favourable as ours, and would have been entirely cleaned out if protective steps had not been taken in time.

By Mr. Jameson:

Q. Referring to the shipping and canning of lobsters, is there much difference between the size of those permitted to be exported to the United States and those consumed in Canada?—A. You mean as compared with those which go to the Montreal or Ottawa markets?

Q. Quite so?—A. Because there is a limit on some of the shores of Canada of 8 inches. That is lobsters 8 inches in size are permitted to be handled legally.

Q. Yes, in Canada but what about those exported to the United States?—A. With respect to the United States only last week, I think, it was noticed in the Fishing Gazette that quite a large number of lobsters had been seized in Boston and dumped overboard because they were exported from Nova Scotia under size.

By Mr. Crosby:

Q. Was that action taken by the United States authorities?—A. By the Massachusetts authorities.

By Mr. Jameson:

Q. What size would that be?—A. In the State of Massachusetts the size limit is 9 inches. I may say that the International Commission which is now at work is proposing to establish in such a State as Maine, as well as in our own waters, a $10\frac{1}{2}$ -inch limit. If that could be done it would raise the limit to what it was two or three years ago.

By the Chairman:

Q. I understood the catch of lobsters in Maine in 1908 was the greatest they have had for many years?—A. You are right. The catch there is still considerable. You observe that the canneries have been done away with there. Furthermore there was a size limit of $10\frac{1}{2}$ inches for some years and a present size limit of 9 inches which would naturally result in some benefit.

By Mr. Bradbury:

Q. How many hatcheries have you?—A. There are five lobster hatcheries.

Q. How is it that the control of the Canadian lobster industry is passing to the Americans?—A. We have a large number of Canadians who can their own lobsters and own their gear and traps. There are two or three big firms from the United States who are largely engaged in the Canadian lobster fishing industry.

Q. Does it seem right that the Canadian people who expend large amounts of money in fish culture, that is the producing of young lobsters by artificial means, should be ousted by Americans who are allowed to come in and catch the lobsters and ship them to the United States? Is there no way of stopping this thing?

Mr. MACLEAN.—(Lunenburg).—They do not catch them at all.

Mr. BRADBURY.—They do not catch them?

Mr. MACLEAN (Lunenburg).—No, no.

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Mr. BRADBURY.—That is what I want to find out.

Mr. MACLEAN (Lunenburg).—They simply buy them from the fishermen.

Hon. Mr. BRODEUR.—The work is done by Canadians but the commercial side of the industry is controlled mostly by Americans.

By Mr. Bradbury:

Q. Referring to the fishery branch of the department, you have made the statement that it would be a wise thing to have a Deputy Minister of Fisheries. Is it not a fact that the present Deputy of the Marine and Fisheries Department is practically only a figure head as far as the fisheries is concerned? What I mean by that is, that the policy of the fisheries branch is altogether controlled by the Commissioner, by yourself and others in your department, and that the Deputy has practically nothing to do with it? Is that not true?—A. Well, I should hardly say that is correct Mr. Bradbury. As a matter of fact the Minister of Marine and Fisheries himself takes a great personal interest in a great many of these matters, and goes into matters very thoroughly, and the Deputy Minister himself, I might say, also discusses the various questions that come up for consideration, but, of course, the work is really of great magnitude. I did not suggest a Deputy Minister of Fisheries, the question was put to me whether I objected to such a proposal.

Mr. BRADBURY.—It seems to me that we have so many deputies of departments, and I think you have enough men in the Fisheries Department, and if I understand the movements of the Fisheries Department, and I think I have followed it pretty closely the last three years, the views of Mr. Venning and yourself, and the Minister prevail, that the deputy does not cut much figure as regards the policy of the department. I look upon you and Mr. Venning as really responsible for the administration of the Fisheries Department.

WITNESS.—Of course we have officers in the field who report to us.

Mr. BRADBURY.—I know, but it seems to me that you are there, and there is no necessity for a deputy.

The CHAIRMAN.—With regard to that question of the restriction of licenses, which is a live question on the coast, I am not altogether satisfied.

Mr. MACLEAN.—I would suggest that that is one of the questions he is going to answer at the next meeting.

The CHAIRMAN.—Yes, but perhaps he will not answer it the way I want it answered, and I was going to suggest something to him, I would like him, in his answer—

Mr. CROSBY.—The Commissioner has showed conclusively his reasons, and he will answer the question in accordance with those reasons.

The CHAIRMAN.—The situation, of course, in my constituency, is that most of the licenses are in the hands of two American concerns, Burnham & Morrell and the Portland Packing Company. These American corporations seem to have a system of coming here with \$2 and obtaining a license to pack lobsters at a certain point, and they put \$2 into the department and receive a license. Then they have locked the door of the factory and compelled the fishermen, in a good many cases, to smack their lobsters to another factory that they choose to open somewhere else. That is a grievance to the young men who want to get into the business. The young man says: 'Why am I not allowed to pack lobsters? Here is a factory which has been closed for many years, no packing has been done in it, and the village loses the benefit of the people coming here, the merchants lose the benefit of the business which they used to obtain from the fishermen bringing their lobsters here.' That is what I am up against in my county and I want to know if there is any cure for that state of affairs, or if it must go on in that way. Have you, Professor, anything to propose better than the present system? You know how aggravating it is to the merchant, who is living at one of these points and doing business, and who wants to buy lobsters

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from the fishermen from whom he is buying other fish, and pack them, to feel that these people from Portland and Boston can pack lobsters at some other place, but that he cannot pack any at all.

Mr. CROSBY. —The Commissioner has clearly and definitely shown us the various reasons why, in his opinion, the canning factories should be licensed, and one of the strong points made in that regard was whether the canner would make enough money under restrictions. It does not make any difference how many canners you have if you limit your gear; it does not make any difference if you have a million canners if you limit the gear, that is the point. A few years ago, I won't say how many years, a number of lobster factories were rented by certain large firms, some of them Canadian and some of them American; they held these factories for a certain time, it was three years, if I am not mistaken; after the law came into force that all canning factories were licensed and that no other factories would be licensed after that time—I think they gave them something like three years. Now then, these three years are up and these factories have been released to the men who owned them at that time, and from whom they were rented and who were canning lobsters in them for many years. Those men now have the factories back on their hands, they cannot get licenses for them and they cannot be operated, and the fishermen of those particular districts in which those factories are situated have to take their lobsters to wherever those large canning factories are operating. But the men who are operating these large factories can turn the key in the door at any time, whenever they like. They do not close down these factories for the protection of the lobsters at all, but they do it for their own advantage and that is the point we want to get out. I would like Professor Prince to answer fully that question, but he has not been allowed to do so. That seems to be the difficulty here, sometimes a question is asked, and before the witness can answer a number of other questions are asked; now it is quite clear that a witness cannot answer four or five questions at once.

By Mr. Crosby:

Q. I want to ask you some questions about these hatcheries. You spoke about Dr. A. D. Mead's experiments?—A. Yes.

Q. You said you approved of the method of hatcheries. Did I understand you to say that his methods did not produce as good results as the method we use down here—was I right in that?—A. Yes. If millions of lobster fry are planted properly, the result must, I think, be better than a few thousands of larger fry.

Q. What I am told is that there are more come to maturity under our method than under Dr. Mead's method?—A. That is no doubt really the case, but Dr. Mead's method is valuable and of assistance to the lobster supply.

Q. Now in regard to the pound system, what do you think of the pound system we have now? I understand you to say that a great many of the lobsters lose their lives there, or that death comes to them by virtue of the pound not being deep enough. What is the condition of our pound—we have only one in Nova Scotia?—A. There was one at St. Mary's which was worked privately.

Q. How did that turn out?—A. I think we had in the Fisheries report a record of the percentage of deaths in Baker's pound, Gabarouse; some did die, but it was only a small percentage, but there the lobsters are kept a comparatively short time, probably only two or three weeks or a month, and then are replaced in the sea again, and on the whole that works well. The only point about it is, I think, it is an expensive method, that the actual cost is somewhat heavy, but Mr. Cunningham is here and he may have something to say with regard to the lobster hatchery and Baker's pound.

By Mr. Maclean:

Q. You will be prepared at the next meeting to give us the result of the operation of that pound in your statement?—A. Yes.

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By Mr. Crosby:

Q. Another thing I would like to ask you—whether you can answer it to-day or not I do not know, and I do not want to prevent you giving the answer the chairman wants and which I very much desire with regard to the canning industry—but with regard to the close season, there are different close seasons in Nova Scotia, I understand, and I would like to know why that is the case. I have some views myself, in regard to it, but I want to find out from the department why there was a difference in the seasons. I would like to know your opinion on that, Professor, and also with regard to the Scotch Fishery Board, which is a question upon which we have a great deal of discussion in Nova Scotia.

Hon. Mr. BRODEUR.—I am afraid that we are perhaps going outside the scope of our inquiry on that point. The question you speak of is a very important question and might be made the subject of a special inquiry on the part of this committee. Professor Prince has come here to discuss the question of lobsters and I think it will be in the interests of the committee that these officers, when they come before us, should discuss one question at a time, and that they should not be asked to discuss such an important question as that of a Fisheries Board, which in itself is a very large question, in the midst of an inquiry into the lobster fisheries.

Mr. CROSBY.—I quite agree with the hon. minister, because it is a big question, and the reason I asked the question was that Mr. Maclean had also asked a question in reference to it.

Hon. Mr. BRODEUR.—I do not want to interfere, I was only making a suggestion on behalf of the officers. If an officer called here on the lobster question, is asked to answer offhand questions with reference to the appointment of a fishery board, there may be some confusion. He may not be prepared to answer immediately, especially if it is a question regarding the establishment in Canada of a Scotch Fisheries Board, which is a question of policy that might be determined better by the members of the committee than by the officers of the department.

Mr. MACLEAN.—I asked that Professor Prince should come before the Committee and it was my idea that it would be better for him to answer a few comprehensive questions respecting the administration of the Marine and Fisheries Department and in regard to the duties of the officials generally just to lay a foundation for the work of the Committee. Having asked those questions it was my intention to get back to the lobsters and specialize on that subject. I think it would have been better if those questions had been asked before Professor Prince made his statement.

Mr. CROSBY.—I would like, with regard to these hatcheries, to get from the witness the full particulars, what they are producing and what his opinion is in regard to them, also what his opinion is in regard to adopting Dr. Mead's system in this country, whether he thinks it would be better to do so. Then with regard to the canning licenses, I think we are interested very much in Nova Scotia, and particularly in the Chairman's county; there is a general idea with a great many people, rightly or wrongly, that the government is to blame to a great extent for discrimination in that connection, and the Committee can readily understand how that idea is fostered by the American concerns locking up some of their factories. I would also like the Professor to give us his opinion with regard to the pounds.

Mr. MACLEAN.—Then I suppose that in addition to the questions already put to Professor Prince, which he is to answer at a subsequent meeting, there is the question, should canning licenses be granted to aliens?

Mr. CROSBY.—I do not know whether you can call them aliens or not, some of them have been holding licenses for a long time and I do not know whether they are aliens.

Hon. Mr. BRODEUR.—I may say that as a matter of fact we have been doing something to relieve the situation in any place where we have found there is monopoly. Our idea has been to amend the situation along the lines of the co-operative plan.

Mr. BRADBURY.—I do not know whether I am in order or not, but a suggestion

has been thrown out by Mr. Maclean with regard to the general policy of the department, and I have something in my mind along the same lines. That is, with reference to the controlling of our fisheries in Nova Scotia or New Brunswick by the Americans. From one end of Canada to the other I think the experience of the last few years has been that the Americans have practically control of our waters so far as the fisheries are concerned. The fisheries that I am connected with myself, in Lake Winnipeg and the Northwest, have been fished out by the Americans, and there should be something done by this Committee in the way of restriction; we should try to see if there is any way at all by which we can protect the Canadian interests as against the American. I want to ask the Committee to do something in the way of protecting Lake Winnipeg and the Northwest fisheries and would like to have one or two witnesses brought down and examined before this Committee regarding the condition of the fisheries in Manitoba and the Northwest. I am satisfied that Lake Winnipeg is in a pretty dangerous condition. We had there a few years ago the greatest whitefish fishery in the world, but that fishery has been depleted—I know the officers of the department will not agree with me, they have not agreed with me for years on that point—but I want it investigated. Our lakes have been fished out, not by Canadians, but by Americans; they have taken the Canadian industry by the throat and choked it.

Mr. MACLEAN.—Did they get licenses?

Mr. BRADBURY.—They have licenses in the names of Canadians, but they practically control the fresh fish trade.

The CHAIRMAN.—What do you propose in order to prevent that?

Mr. BRADBURY.—I want an examination made of our lake fisheries; I understand there is to be a Commission appointed; it has been promised the last couple of years, but I think it has materialized this year and that one or two commissioners have been appointed.

Hon. Mr. BRODEUR.—Two or three.

Mr. BRADBURY.—Is it the idea that this commission shall be in operation this year?

Hon. Mr. BRODEUR.—Yes, that is the reason for the appointment. I do not know whether it would be advisable, in view of the appointment of that commission, to investigate that question now.

Mr. BRADBURY.—It is a serious question and we have been appealing to the House of Commons to look into this matter. I think it would be well to have one or two men from the West brought here and examined.

Hon. Mr. BRODEUR.—One or two men will not give us much information, we will have to go into the whole question which is now before the commission, of which Professor Prince will be Chairman. Would it not be better to postpone the consideration of this question until next session when we will have the report of the commission to guide us?

Mr. BRADBURY.—I do not want to urge my views unduly and if you will promise me that this commission will go to work this spring I will accept your suggestion, but it has been delayed from year to year.

Hon. Mr. BRODEUR.—There has not been very much delay; Professor Prince has been looking into the matter. I would like very much to have the opportunity of examining Professor Prince on the organization of the department. A suggestion has been thrown out that we have not been distributing the work properly. Professor Prince has been appointed for the purpose of advising the department, and he has been relieved more or less formally of the administrative part of the work of the department. He was supposed to devote his time entirely to biological researches and to advise the department on the scientific part of the work, and during the last year he has been relieved from any administrative work. However, to make it clear I will read the recommendation of the acting Deputy Minister of Marine and Fisheries, as follows:—

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MEMORANDUM TO THE MINISTER.

In the year 1892, Professor E. E. Prince, was appointed Commissioner and General Inspector of Fisheries for Canada. The object of his appointment seems to have been to provide an officer of scientific attainments, possessing skill in marine biology, who could act for the Fisheries Branch in the same manner as nautical advisers do for the Marine Branch of the same department.

According to this, Professor Prince was to act as a scientific adviser to the Fisheries Branch. The original intention seems to have been lost sight of and Professor Prince, as Commissioner of Fisheries, has had to undertake a certain quantity of administrative work and of correspondence, which has taken up a certain portion of his time which might have been devoted to scientific matters.

Last fall Professor Prince was appointed International Commissioner of Fisheries, to act with a Commissioner appointed by the United States Government, under the Fisheries Treaty, which was signed on the 11th April, 1907. Professor Prince is also Chairman of several Investigation Commissions, which are studying the conditions of the fisheries at various points of this country; he is Chairman of the Biological Board and a great deal of his time is devoted to other scientific matters relating to the fisheries.

Under the circumstances it would seem advisable that Professor Prince be relieved of all the work of administration and of correspondence, which he has had to undertake within the last few years.

The undersigned begs to recommend that Professor Prince's duties consist of his work in connection with the International and other Commissions, of which he forms part, or to which he may be appointed later on by the Minister or the Governor in Council, and of his work in connection with the Biological Board, and that he should be the General Scientific Adviser of the department on matters relating to Fisheries.

The administrative work of the branch should be undertaken by Mr. R. N. Venning, the Superintendent of Fisheries, who should also have charge of the correspondence of that branch.

This was signed by the acting deputy, and was concurred in by myself on the 23rd of February last, so that the department is now properly organized. Professor Prince is now looking after the International Commission and then will devote his time to the Commissions upon which he has been or may be appointed for the purpose of making investigation and researches into the very best way of improving our fisheries and of developing the commercial side of it, and he also has charge of the scientific work in connection with the fisheries. All the administrative work of the department and the correspondence is now under the control of Mr. Venning.

Mr. BRADBURY.—Can you tell me the names of those Commissioners who have been appointed?

Hon. Mr. BRODEUR.—Yes, they are Professor Prince, Mr. Reid and Mr. Metcalfe.

Mr. BRADBURY.—That is a good commission.

Hon. Mr. BRODEUR.—Yes, it is a good commission and they are going to start as soon as possible. Of course Professor Prince will have to meet Dr. Jordan to draft the regulations concerning the International Fisheries Treaty, but in the meantime they will go on with the investigation.

Mr. MACLEAN.—I was going to say when Mr. Bradbury suggested the appointment of this fishery commission for Lake Winnipeg that this Committee has been appointed with the idea, and I hope it will be carried out, that it will be a permanent committee. I would like to see it have plenty of work to do. But with regard to this Commission it is possible that they can conduct experimental or research work much better than a parliamentary committee could, but I would just as soon have the opinion of Professor Prince or Mr. Venning given to this Committee after investigation made on the ground as I would that of any commission, I do not care who they are. I think it is

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a great waste of public money having fishery commissions—I am not going to say it is an absolute waste of money and time—but suppose you send a commission to Winnipeg and examine 100 or 200 people; you have a compilation of a lot of evidence which, when printed is thrown into some corner where nobody ever sees it or wants to see it because it is so voluminous. The matter of the conduct of the fisheries of Lake Winnipeg is, after all, a matter of policy which should always be determined on some line of reasoning, and I think this Committee, with the assistance of the officers of the department, could do it very much better and more quickly than any commission could. Now, a commission was appointed to investigate the lobster business in Nova Scotia, and the report of that commission is now before us; I heard evidence given before that commission. I went to places where they were sitting, and I have not the slightest hesitation in saying that what I heard in some of those places was absolutely useless because one man gives one view and another gives another view. The result was, I have not the slightest hesitation in the world, that the report of that Commission was the report of Prof. Prince. Now if the officers of the Department are doing their work, if they are students of their work, they, together with the representatives of the people in parliament, should know the local conditions and are on the whole better judges than even the people themselves, because the parliamentary representatives are continually hearing the views of everybody else and they gradually assimilate those views and reach a conclusion. Of course, I am not desirous of interrupting the present policy of the Department or its present decision to appoint Commissioners but I think that hereafter there should be as few of these commissions as possible. I think this Committee can do the work much more quickly and at less expense to the country than could any Commission you could name providing it is given the assistance of the officers of the Department and that they are sent upon the ground to study questions, coming back afterwards to the committee with their views.

Mr. BRADBURY.—The point which Mr. Maclean has raised is a good one. If the appointment of this commission has not gone too far I would be satisfied to see it done away with and the investigation carried on by this Committee.

The CHAIRMAN.—We cannot deal with that question here.

Mr. BRADBURY.—Why?

The CHAIRMAN.—Because it is too big a question and it has gone to the House.

Hon. Mr. BRODEUR.—What we want to do by means of this Commission is to get the views of the fishermen on the spot. They have sent us complaints and they want us to investigate them. How can a Committee such as this, sitting here for only three or four hours a week, conduct such an investigation and take the evidence of these men? It would be altogether impossible. We are going to send a Commission there to examine the persons making the complaints and obtain their views. Some of those views may not be of much value but others will undoubtedly be of great value.

Mr. BRADBURY.—Some of them undoubtedly will.

Hon. Mr. BRODEUR.—If we undertake to attach all such work to this Committee I do not think we will be able to properly discharge our duties in that regard. It may be that some things which formerly were inquired into by commissions may be undertaken by this committee, which possibly may suggest questions of policy, but in regard to a commission such as that just appointed the investigation must be undertaken on the ground amongst the people in the Northwest. Otherwise it means simply examining a few witnesses who may be brought here and those men perhaps not the best that could be chosen. At the same time I think that in some cases commissions could be dispensed with and the work efficiently performed by this Committee.

Mr. JAMESON.—I would like to have produced at the next meeting if possible, a memorandum showing the number of canning licenses in the respective counties. It would not be necessary to have the names of the persons holding the licenses but simply the number in each county.

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Hon. Mr. BRODEUR.—Might I be permitted to make a suggestion to the Committee. We had asked Mr. Cunningham to come here and produce a statement on the question of hatcheries and the breeding of lobsters. Mr. Cunningham has prepared a statement and I would suggest that it be printed and incorporated with to-day's evidence. Each member of the Committee can read the statement over in the meantime and be prepared, if necessary, to question Mr. Cunningham at the next meeting of the Committee.

The CHAIRMAN.—Carried.

[For statement of Mr. Cunningham, see page 33.]

The CHAIRMAN.—I wish also to submit for the consideration of the Committee a statement which has been sent to me by Senator Ross. The honourable senator, as you all know, has for many years taken a great interest in the fisheries of Nova Scotia and has embodied his views in the statement referred to. Part of his statement deals with the question which we have been considering and extracts may be culled from it for the use of those people interested in lobsters. I wish to place it among the records of the Committee.

Mr. MACLEAN (Lunenburg).—Let it lie on the table until we have an opportunity of seeing it at the next meeting.

The CHAIRMAN.—I wish to submit it to the members of the Committee if they choose to look over it.

Mr. WARBURTON.—I would like to have summoned as a witness Mr. John S. Cousins, Park Corner, New London, P.E.I.

Mr. CROSBY.—And I would like to have as a witness on lobsters and oysters, Mr. Wilson of Halifax.

Hon. Mr. BRODEUR.—I would suggest the names of Messrs. William Whitman, Geo. Walsh, and Alexander Keating, Secretary of the Fish Union, Canso. These gentlemen can be notified by telegram as to the date upon which they will be required to attend.

Committee adjourned.

Extract from Fisheries Act, Chap. 45, R.S.C.

LOBSTER FISHERIES.

35. No one shall, at any time, can or cure lobsters, except under license from the Minister. 58-59 V., c. 28, s. 1.

36. The fee for any such license shall be at the rate of two dollars per hundred cases or packages or fraction of one hundred cases or packages, containing lobsters canned or cured under such license.

(2). Each case or package shall contain forty-eight one-pound cans, or ninety-six one-half-pound cans. 58-59 V., c. 28, s. 1.

37. Every case or package containing lobsters canned or cured in Canada, before being removed from the factory or canning establishment where such lobsters have been canned or cured, shall be labelled or stamped with such label or stamp as is prescribed by the Minister: Provided that the Minister may grant a permit for the removal of legally packed cases from any factory to any store or building before being labelled or stamped for final shipment.

(2). Every case or package, if not removed from such factory or canning establishment on or before the day on which the close season commences, shall be so labelled or stamped within seven days thereafter, and all unused labels or stamps shall immediately after such removal be returned to the Minister. 58-59 V., c. 28, s. 1.

38. Every case or package containing lobsters imported into Canada shall immediately upon being imported be labelled or stamped with such label or stamp as is prescribed by the Minister. 58-59 V., c. 28, s. 1.

39. The owner or manager of every lobster factory or canning establishment in Canada shall send to the Minister not later than the first day of September in every year, a true return of,—

- (a) the number of fishermen employed, and of the lobster traps used in connection with his factory or canning establishment;
- (b) the number of persons employed in such factory or canning establishment, distinguishing the sexes;
- (c) the number of cases of lobsters packed during the season; and,
- (d) such other details and particulars as are from time to time required by the Minister. 58-59 V., c. 28, s. 1.

40. Any label or stamp prescribed by the Minister upon any empty case or package, shall be entirely obliterated and destroyed within seven days after the commencement of the close season.

(2) Whenever any labelled or stamped case or package, containing canned or cured lobsters, is opened or emptied, the label or stamp thereon shall be entirely obliterated and destroyed by the person in whose hands the same is, unless such case or package is opened or emptied for the purpose of testing or repacking the canned or cured lobsters contained therein, the burden of proof of which shall be on the owner or packer of such package or case. 58-59 V., c. 28, s. 1.

41. The manager or proprietor of every lobster factory or canning establishment shall, on demand, produce his license to any fishery officer. 58-59 V., c. 28, s. 1.

42. The manager or owner of every lobster factory or canning establishment shall, on the request of any person authorized or employed by the Minister to hatch lobsters, as far as possible and with due care, take from and keep, in such manner as is from time to time prescribed by the Minister, all eggs attached to lobsters brought to such factory or canning establishment, and deliver such eggs to a person authorized by the Minister to receive them. 58-59 V., c. 28, s. 1.

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76. Every case or package containing lobsters canned or cured in Canada not labelled or stamped according to the provisions of this Act, or which, being unlabelled or unstamped, is removed from the factory or canning establishment where such lobsters have been canned or cured, without a permit from the Minister, shall be liable to seizure, and, upon seizure, shall become confiscated to His Majesty; and the owner, packer or exporter of any such case or package shall be liable to a penalty not exceeding twenty dollars and costs. 58-59 V., c. 28, s. 1.

77. Every case or package containing lobsters imported into Canada, without being labelled or stamped with such label or stamp as is prescribed by the Minister shall be liable to seizure, and, upon seizure, shall become confiscated to His Majesty; and the person or persons owning or possessing any such case or package shall be liable to a penalty not exceeding forty dollars and costs. 58-59 V., c. 28, s. 1.

78. Every owner or manager of a lobster factory or canning establishment in Canada who fails to send to the Minister, not later than the first day of September in every year, a true return of,—

- (a) the number of fishermen employed, and of the lobster traps used in connection with his factory or canning establishment;
- (b) the number of persons employed in such factory or canning establishment, distinguishing the sexes;
- (c) the number of cases of lobsters packed during the season; and,
- (d) such other details and particulars as are from time to time required by the Minister;

shall be liable to a penalty not exceeding four hundred dollars and costs. 58-59 V., c. 28, s. 1.

79. Every manager or proprietor of a lobster factory or canning establishment who refuses on demand to produce his license to any fishery officer, shall be liable to a penalty not exceeding one hundred dollars and costs. 58-59 V., c. 28, s. 1.

80. Every manager or proprietor of a lobster factory or canning establishment who obstructs any fishery officer in the discharge of his duty shall be liable to a penalty not exceeding one hundred dollars and costs. 58-59 V., c. 28, s. 1.

81. Every manager or owner of a lobster factory or canning establishment who, on the request of any person authorized or employed by the Minister to hatch lobsters, neglects or refuses to take from and keep, as far as possible and with due care, and in such manner as is from time to time prescribed by the Minister, all eggs attached to lobsters brought to such factory or canning establishment, or neglects or refuses to deliver such eggs to a person authorized by the Minister to receive them, shall be liable to a penalty not exceeding five dollars for each such neglect or refusal. 58-59 V., c. 28, s. 1.

82. Every person who counterfeits or alters any label or stamp prescribed by the Minister to be labelled or stamped on any case or package containing lobsters canned or cured in Canada, or, with fraudulent intent, labels or stamps any such case or package with any label or stamp purporting to be the label or stamp so prescribed by the Minister, shall be liable to a penalty of forty dollars and costs. 58-59 V., c. 28, s. 1.

GENERAL FISHERY REGULATIONS.

GOVERNMENT HOUSE, OTTAWA,

THURSDAY, SEPTEMBER, 1907.

His Excellency, in virtue of the powers vested in him by 'The Fisheries Act,' chapter 45 of the Revised Statutes, and by and with the advice of the King's Privy Council for Canada, is pleased to make the following Fishery Regulations, namely:—

Sec. 1.—Angler's Permits in the Inland Waters of the Dominion of Canada.

1. No person, other than a British subject, shall angle for or take any sporting fish in Canada without having first obtained therefor an angler's permit, issued by the fishery officer in each district, under the authority of the Minister of Marine and Fisheries, except in the Provinces of Ontario and Quebec, where such permits are issued under the authority of the Provincial Governments.

2. Each person, not a British subject, shall pay for such angler's permit a fee of \$5.00.

3. One angler's permit only shall be issued to each applicant. Such permit shall not be transferable, and can be legally used only by the person whose name appears thereon. Each holder of an angler's permit shall be required to produce and exhibit his permit, when called upon to do so by any fishery officer.

4. No person shall use, under an angler's permit more than one fishing line, provided with not more than three hooks.

5. No trout shall be retained or kept out of the water under 6 inches in length, and no salmon or grilse of less weight than three pounds; but every person who takes or catches any of the fish mentioned, of a less size or weight than the minimum named, shall immediately return such undersized fish to the water from which they were taken, and shall, if possible, liberate such fish alive.

6. No person holding an angler's permit shall sell or offer for sale any fish caught with hook and line.

7. Any person or persons violating any of the above regulations shall be liable to the fines and penalties provided by the 'Fisheries Act,' chap. 45 of the Revised Statutes of Canada.

8. Nothing in these regulations shall affect the rights of any person or persons holding leases of fishing rights from either Federal or Provincial authorities.

9. Foreigners, when temporarily domiciled in Canada and remaining thirty consecutive days or more and employing Canadian boats and boatmen, shall be exempt from the regulation requiring permits.

Sec. 2.—Clams—Soft-shell, Long-neck or Squirt-clams.

The export of soft-shell, long-neck or squirt-clams (*Mya Arenaria*) in a raw state taken in the Provinces of Quebec, New Brunswick, Nova Scotia, or Prince Edward Island, from the 1st day of May to the 30th day of September, both days inclusive, in each year, is prohibited.

Sec. 3.—Dynamite for killing Fish.

1. It shall be unlawful for any person or persons to procure or have in possession on board of any boat or vessel or elsewhere within Canada, any dynamite or other explosive material with the intention of using or attempting to use or allowing or permitting the same to be used or attempted to be used for the purposes of catching or killing or attempting to catch or kill any kind of fish, shell-fish or marine animal.

2. It shall be unlawful for any person or persons to put or place or have upon or in any boat or vessel engaged or employed or intended to be engaged or employed in fishing, any dynamite or other explosive material.

3. In case any such dynamite or other explosive shall be found or proved to be or to have been in or upon any such boat or vessel, the master and the owner thereof shall each be liable for the penalty provided for breach of the last preceding Regulation, as well as any other person or persons who may have put or placed such dynamite or other explosive upon or in the said boat or vessel or had the same in possession therein.

Sec. 4.—Export of Trout Prohibited.

No one shall receive, ship, transport or have in possession for the purposes of shipping or transporting out of the Dominion of Canada any speckled trout, river

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trout or sea trout, taken or caught in the Provinces of Ontario, Quebec, New Brunswick, Nova Scotia and Prince Edward Island; provided,—

1. Any person may so ship such trout caught by him for sport, to the extent of 25 lbs. in weight, if the shipment is accompanied by a certificate to that effect from either the local fishery officer in whose district the fish were caught or from the local station agent adjacent to the locality in which they were caught or is accompanied by copy of the official license or permit issued to the person making the shipment.

2. No single package of such trout shall exceed 25 lbs. in weight, nor shall any person be permitted to ship more than one package during the season.

Sec. 5.—Lobster Fishery.

(See also Fisheries Act, sections 35 to 42 inclusive.)

1. No one shall fish for, catch, kill, buy, sell or have in his possession lobsters from the last day of May to the fourteenth day of December in each year, both days inclusive, on and along that part of the coast or the waters thereof, of the Province of Nova Scotia, embraced and included within the Counties of Yarmouth, Shelburne, Queens, Lunenburg, and that part of the County of Halifax west of a line running S.S.E. from St. George's Island, Halifax Harbour, Nova Scotia, and coinciding with the fairway buoys in the entrance of the said harbour; nor shall any person within the above described limits, at any time, fish for, catch, kill, buy, sell or have in his possession any lobster or lobsters under nine inches in length, measuring from head to tail, exclusive of claws or feelers.

2. No one shall fish for, catch, kill, buy, sell or have in his possession lobsters from the last day of June in each year to the fourteenth day of January then next following, both days inclusive, in any part of the Bay of Fundy, or on any part of the coasts thereof, inside of a line drawn from the division line of the Counties of Charlotte and St. John, near Point Lepreau, running outside of Brier Island, to the boundary line between the Counties of Digby and Yarmouth, in the Province of Nova Scotia; nor shall any person, within the above described limits, at any time, fish for, catch, kill, buy, sell or have in his possession any lobster or lobsters under 10½ inches in length, measuring from head to tail, exclusive of claws or feelers, excepting on the part of the coast or the waters thereof of the Province of New Brunswick embraced and included within the County of St. John, where it is hereby provided that no one shall fish for, catch, kill, buy, sell or have in his possession lobsters from the last day of June in each year to the fifth day of January then next following, both days inclusive.

In the Counties of Charlotte, New Brunswick, and Digby, Nova Scotia, no one shall fish for, catch, kill, buy, sell or have in his possession lobsters from the fifteenth day of June to nine o'clock a.m. on the sixth day of January, then next following; nor shall any person within the above described limits, at any time, fish for, catch, kill, buy, sell or have in his possession any lobster or lobsters under nine inches in length, measuring from head to tail, exclusive of claws or feelers; providing that in that portion of the County of Digby fronting on the Bay of Fundy the legal size limit for lobsters shall be ten and one-half inches in length, measuring from head to tail, exclusive of claws or feelers.

3. No one shall fish for, catch, kill, buy, sell or have in his possession lobsters from the first day of July in each year to the thirty-first day of March then next following, both days inclusive, on and along that part of the coast of the Province of Nova Scotia or the waters thereof, from the aforesaid line, running S.S.E. from St. George's Island, Halifax Harbour, Nova Scotia, and coinciding with the fairway buoys in the entrance of the said harbour, extending eastwardly and following the coast line, as far as Red Point, between Martin Point and Point Michaux, in the Island of Cape Breton, and including Chedabucto Bay and St. Peter's Bay, and the

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coasts and waters of all the islands lying in and adjacent to these bays, and including the coasts and waters of the Gut of Canso, as far as a line passing from Flat Point in Inverness County, to the lighthouse in Antigonish County opposite.

4. No one shall fish for, catch, kill, buy, sell or have in his possession lobsters from the first day of August in each year, to the last day of April then next following, both days inclusive, on and along that part of the coast of Cape Breton Island, in the Province of Nova Scotia, or the waters thereof, from Red Point, between Martin Point and Point Michaux, in the Island of Cape Breton, and extending to, and around Cape North, as far as and including Cape St. Lawrence; also the north shore of the Gulf of St. Lawrence, from the Bay of Blanc Sablon, in the Province of Quebec, westward to the head of tide, embracing the coasts and waters of all the islands adjacent to the said shore, and including the Island of Anticosti, and lobster fishing on the coasts and waters of all the islands known as the Magdalen Islands, including Bird Rocks and Bryon Island, may begin on the twentieth day of April in each year and end on the tenth day of July then next following; also that a fall fishing season is permitted in these waters during the month of September in each year; but no one shall, at any time, fish for lobsters in the lagoons.

5. No one shall fish for, catch, kill, buy, sell or have in his possession, lobsters from the eleventh day of August in each year, to the twenty-fourth day of May then next following, both days inclusive, along the coasts and in the waters of Northumberland Straits, between a line on the northwest, drawn from Chockfish River, in New Brunswick, to West Point, in Prince Edward Island, and a line on the southeast, drawn from Indian Point, near Cape Tormentine, in New Brunswick, to Cape Traverse, in Prince Edward Island.

6. No one shall fish for, catch, kill, buy, sell or have in his possession, lobsters from the eleventh day of July in each year, to the nineteenth day of April then next following, both days inclusive, in any part of Canada or the coasts or waters thereof, not embraced within the limits described in the foregoing regulations.

7. Excepting as elsewhere provided as above, in which the size limits are fixed at nine inches and ten and a half inches, no one shall, in any part of Canada, or the coasts or waters thereof, at any time, fish for, catch, kill, buy, sell or have in his possession any lobster or lobsters under eight inches in length, measuring from head to tail, exclusive of claws or feelers.

8. No one shall fish for, catch, kill, buy, sell or have in his possession for any purpose whatever, any berried lobster or lobsters, or any soft-shell lobster or lobsters. Such lobsters when caught shall be liberated alive.

9. No one shall set or place lobster traps or other fishing apparatus, for the purpose of taking lobsters in any waters of the depth of two fathoms or under.

10. No one shall set or place lobster traps or other fishing apparatus for the purpose of taking lobsters, at a distance of less than one hundred yards from any stationary salmon net, set apart for the purpose of taking salmon.

12. No one shall, for canning purposes, boil lobsters on board any ship, vessel, boat or floating structure of any description whatever, except under special license from the Minister of Marine and Fisheries.

13. No one shall prepare to fish for lobsters by placing or setting any buoys, lines or other gear used in connection with such fishing, before 6 o'clock in the morning of the day on which it is lawful to take or catch lobsters in the locality affected.

TRAWL FISHING FOR LOBSTERS.

The use of trawls for the purpose of catching lobsters is prohibited in the waters of the Counties of Gaspé and Bonaventure.

APPENDIX No. 3

ORDER IN COUNCIL

AT THE GOVERNMENT HOUSE AT OTTAWA,
MONDAY, the 9th day of March, 1908.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL.

His Excellency the Governor General in Council, in virtue of section 54 of The Fisheries Act, chapter 45 of the Revised Statutes of Canada, 1906, is pleased to order that subsection 11 of section 5 of the 'General Fishery Regulations,' established by order in council of the 12th September, 1907, shall be and the same is hereby rescinded, and the following substituted in lieu thereof:—

11. 'No one shall, for canning purposes, offer for sale, sell, barter, supply or purchase any fragments of lobsters, lobsters purposely mutilated or broken up, or any broken lobster meat, and all fragments of lobsters, lobsters purposely mutilated or broken up, or broken lobster meat, so offered for sale, sold, bartered, supplied or purchased, shall be liable to seizure and confiscation, unless possessed for the purpose of domestic consumption only, and not for canning, the proof whereof shall devolve on the owner or possessor; nor for canning purposes shall any lobster or lobsters be boiled or partially prepared elsewhere than in the cannery licensed for that purpose.'

RODOLPHE BOUDREAU,
Clerk of the Privy Council.

Sec. 6.—Oyster Fishery Regulations.

1. No person shall fish for or catch oysters without a lease or license from the Minister of Marine and Fisheries.

2. The owner, person or persons interested in a fishing boat employed in the oyster fishery shall cause a memorandum in writing, setting forth the name of the owner, person or persons interested, to be filed with the local fishery officer who, if no valid objection exists, may, under instructions from the Minister of Marine and Fisheries, issue a fishery license for the same, and any boat or fishing apparatus used without such license, shall be deemed to be illegal and liable to forfeiture, together with the oysters caught therein, and the owner and person using the same shall be subject to the penalties prescribed by the Fisheries Act.

3. All boats fishing for oysters shall have a registration number corresponding with that of the license legibly marked or painted on the bow of the boat, in white coloured letters on a black ground, and the initial letter of the port to which such boat belongs, such letters to be at least eight inches in length.

4. Oysters shall not be fished for, caught, killed, bought, sold or had in possession from the 1st day of April to the 30th day of September, both days inclusive, in each year.

5. Fishing for oysters or any other shell fish through the ice is prohibited.

6. No person shall fish for, catch, kill or buy, sell or have in possession any round oysters of a less size than three inches in diameter of shell, nor any long oysters measuring less than three and a half inches of outer shell.

Round cysters of a less size than three inches in diameter, and long oysters measuring less than three and a half inches on the outer shell, and that may be accidentally caught, shall be returned to the water alive, at the cost and risk of the person so fishing, on whom, in every case, shall devolve the proof of actual liberation.

Provided always that persons holding fishery licenses, may obtain from the Minister of Marine and Fisheries, permission to fish for and catch small oysters for the purpose of planting or stocking oyster beds.

7. Fishing for oysters is prohibited on Sunday, and from sunset to sunrise on any other day of the week.

8. (a) No person shall dig mussel mud within 200 yards from any live oyster bed, and then only at such place or places as may be prescribed in writing by a fishery officer.

(b) No person shall dig mussel mud in Trout river, Prince county, Prince Edward Island, excepting above a line drawn from Peter Miller's Middle Point to a point of land at the end of Yeo's Portage Road.

(c) No person shall dig mussel mud in Bideford river, Prince county, Prince Edward Island, excepting above a line drawn from Bideford Shipyard to Colin McKay's point, including Pawes creek.

9. The use of rakes for the purpose of taking oysters on any beds prepared or planted by the Department of Marine and Fisheries, is prohibited.

10. The use, for taking oysters on oyster-beds, of quahaug rakes, tongs operated by purchase power, or tongs or rakes other than the ordinary ones now in use in oyster fishing in the provinces of Prince Edward Island and New Brunswick, is prohibited.

11. All the waters of the York or North river, Queens county, Prince Edward Island, included between the bridge from Poplar island to the west shore on the said river and a due east and west line drawn from the mouth of Forkey creek to the opposite shore, are hereby set apart for the natural and artificial propagation of oysters.

12. All the waters of Big Tracadie Harbour lying east of a line drawn due north and south (true) across the narrowest part of the entrance of the West Arm, situated at Tracadie, in the County of Antigonish, in the province of Nova Scotia, are hereby set apart for the natural and artificial propagation of oysters.

13. All the waters of Shediac Harbour, extending from a line drawn south, 67° west (due west magnetic) from Mr. Petitpas' house on Shediac Island, to Mr. Wilbur's tannery, on the north side of Wilbur's Cove, southwardly to a line drawn from the south extremity of Snake Point, 50° 7' 30" west (west by south $\frac{1}{2}$ south magnetic) to the corner of Moncton road, the points where the boundary lines above described cut the high water on shore being marked in each case by a square cedar post, inscribed O.R., and the whole including below low water mark an area of 980 acres, be the same more or less.

And all the waters of Shediac harbour extending from a straight line drawn south 60° 19' east, between the station established on the south of Shediac island, at its mouth, being the point of Shediac island (this being the north limit of the said reserve) and the north boundary of the reserve set apart by the next preceding paragraph, the whole containing an area of 482 acres, more or less.

Sec. 7.—Quahaug or Hard-shell Clams.

1. No one shall fish for or catch hard-shell clams or quahaugs without a license from the Minister of Marine and Fisheries. The fee on each such license shall be one dollar per season.

2. No one shall fish for, catch, kill, buy, sell or possess hard-shell clams or quahaugs, excepting during the months of May, June and September, in each year.

3. No one shall fish for, catch, kill, buy, sell or possess hard-shell clams or quahaugs of a less size than one and one-quarter inches in length, and any such hard-shell clams or quahaugs measuring less than one and one-quarter inches in length, on the outer shell, that may be accidentally caught, shall be returned to the water alive by the person so fishing.

4. The use of rakes for catching hard-shell clams or quahaugs, having teeth less than one and one-quarter inches apart, is prohibited.

5. Fishing for hard-shell clams or quahaugs in bays, harbours and other waters within the Dominion of Canada, where oysters are taken, shall be permitted only on areas set apart and marked out by the local fishery officer for the respective districts in which such fishing is prosecuted.

APPENDIX No. 3

LOBSTERS.

Mr. F. H. CUNNINGHAM, Superintendent of Fish Culture, was called and submitted the following statement:—

In speaking of the Lobster Fisheries of Canada, such a wide field for discussion and criticism is opened that it is a dangerous path to travel, especially as there appears to be no concerted opinion as to the manner of protection or the best method of artificial propagation.

As a food the lobster holds a leading place with the epicure and as a commercial commodity takes first place in the fisheries of the maritime provinces, thus forming an important factor in one of Canada's greatest assets.

For the year 1907 the yield was 8,660,550 pounds preserved, and 97,490 cwt. of fresh or live lobsters, having a commercial value of \$4,084,122. Truly a rich asset and one worthy of the best and most thorough protection that can be devised.

As I am requested to give some information to this committee on the propagation of the lobster, it is essential that something be said on the habits of this crustacean from the time the egg is extruded by the female up to the period of maturity.

Copulation occurs usually in the spring and the sperm, which has great vitality, is retained in a receptacle of the female for a considerable period.

The period between the act of copulation and the ejection of the eggs depends upon natural conditions, but it is well known that the extrusion and impregnation is simultaneous. The eggs are attached to swimmerets by adhesion and are carried by the female lobster for a period of several months if extruded on a falling temperature or in the fall of the year. If extruded on a rising temperature, or in the early spring, the hatching period is much shorter. Thus eggs extruded in the late summer hatch the following spring.

The hatching process will occupy about a week or more, the young receiving no attention from the mother lobster, but lead an independent existence after becoming detached from her.

An estimate of the quantity of eggs given by various sized lobsters is as follows:—

8 inch lobster,	5,000 eggs.
10 "	10,000 "
12 "	20,000 "
14 "	40,000 "

The size of the egg is $\frac{1}{16}$ of an inch in diameter.

The first year of the lobster's existence may be said to be a series of molting and during which time it attains a length of from two to three inches.

At the end of the second year the length is from five to seven inches, and a ten inch lobster may be rated at about five years old.

Very few lobsters under nine inches in length bear eggs, but an occasional eight inch lobster will be found in this condition.

ARTIFICIAL PROPAGATION.

The first important point for consideration in the artificial propagation of lobsters is the selection of a suitable site, which offers facilities close to nature for hatching and distribution purposes.

A supply of clean, salt water is essential and which should have a salinity of not less than two and a half ounces of salt to the gallon of water.

A site with a bold shore is preferable as a sufficient depth of water can be secured close to shore, thus avoiding a long and expensive pipe and ensuring a full supply of clean water. The question of fresh water for machinery purposes is also an important factor when selecting a site. The situation of the canning factories must also be considered in this connection as it is from this source the eggs are procured, and the closer they are located to the hatchery, the better for the success and economical management of an establishment of this kind.

COLLECTION OF EGGS.

This is the most vital point in fish culture, for if this operation is not performed with the greatest care and the eggs placed in the hatchery jars in good condition, a successful season cannot be expected.

The present system in vogue is a fairly good one and is carried out as follows:—

Arrangements are made with the owner or manager of a cannery for the selection of a reliable employee whose duty it is to remove the eggs from the lobsters as brought in by the fishermen. These eggs are then placed on trays packed in a box, frequently sprinkled with salt water and kept in a cool place until called for by the hatchery boat, which is every day, weather permitting.

On reaching the hatchery these eggs are immediately placed in the hatchery jars, through which a supply of water is constantly flowing, which keeps the eggs slightly moving until the young lobster is hatched, when it, of its own accord, rises to the surface of the water and passes into the receiving tanks provided for that purpose.

It must not be thought that the hatching apparatus has reached such a state of perfection that all this detail can go along without constant attention from the employees of the hatchery.

They are constantly watching each jar to see that a continuous movement is going on and it is very often necessary that the motion of the eggs should be accelerated by gently stirring with a wing.

DISTRIBUTION.

The young lobsters having reached the retaining tanks it is now necessary to consider their removal to the sea, which is done from ten days to two weeks from the time of hatching, their development depending essentially on the temperature of the water.

Their removal is conducted by placing them in small, deep barrels, which are conveyed in the hatchery boat for a distance of about two miles from shore and deposited as near as possible on the natural hatching grounds. This work is accomplished by either dipping them out or by the means of syphoning through one inch rubber hose, whilst the boat is moving slowly along.

RESULTS.

The question frequently asked in connection with the expenditure of money for the artificial propagation of the lobster is: What results have been derived therefrom?

It is not possible to point to any conclusive proof in this direction, but one thing is certain, that whilst the number of egg-bearing lobsters is becoming scarcer each year, yet the actual number of lobsters captured for commercial purposes has not decreased, but on the other hand have increased; but owing to their small size, have not reached the egg-bearing stage, hence they find their way to the market without an opportunity of once reproducing their species.

Again reports of officers are to the effect that at no time were there so many immature or small lobsters on the grounds as during the past year or two, this especially refers to localities in which hatcheries have been established.

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Again as a fair proof of the success of the hatcheries attention may be called to the numerous applications which are constantly being received for additional establishments, and as such requests emanate from practical fishermen, through their representatives in parliament, it is only fair to assume that the work of the department in the artificial propagation of the lobster has the confidence of those most benefited.

During the season of 1907, five hundred millions of young lobsters were distributed from the five hatcheries in operation on the Atlantic seaboard. Now if only 2 per cent of this number reaches maturity we have a result of ten million mature lobsters, having a value of at least \$1,000,000, the cost of production \$12,500.

LOBSTER POUNDS.

The question of a further protection of the egg-bearing lobster by instituting retaining pounds is one that has been receiving attention by the department.

In 1903, an arrangement was approved with Mr. H. E. Baker, whereby a portion of his lobster pound, located on the southern side of Fourchu Harbour, has been used for the retention of berried lobsters, such lobsters being liberated in the various areas as the close season commences.

Mr. Baker is paid 16½ cents for each lobster liberated in such areas. The whole operation being supervised by an outside officer of the department.

The number impounded is limited to forty-five thousand berried lobsters and no other expenses are assumed by the government beyond the 16½ cents referred to for each lobster.

The utility of this pound has been specially and most favourably reported upon in the following words by a special inspecting officer.

‘The inclosure is teeming with vigorous, newly-hatched-out fry, many are making their way out of the pound through the wire netting into the sea.’

Now it is a difficult matter to draw comparisons as to the relative value of pounds and hatcheries.

In pounds a given number of female lobsters, bearing eggs, are retained for a given period, some of the eggs hatching during the retention, the fry finding their way to the sea. The lobsters are all liberated and the hatching process continues at sea.

How many of these eggs actually hatch? A question no one can answer. But we do know that last year some five hundred millions of vigorous live lobsters were placed in the sea from the hatcheries.

I am in favour of every device that will assist nature in her efforts to increase the lobsters and pounds are no doubt of great value in this direction, but to make them thoroughly effective female lobsters, whether carrying eggs or not, should be retained, as, if the opinion of biennial spawning is a correct one, then it is all the more necessary that my suggestion be favourably considered; otherwise the pound lobsters of this year's retention has no protection next year.

To emphasize this it may be pointed out that the size of the lobster retained last year in Mr. Baker's pound is given as follows:—

	8 per cent	under 8 inches.
56	“	between 8 and 9 inches.
22	“	between 9 and 10 inches.
13	“	over 10 inches.

Now as it is the 10 inch and larger lobster that gives the maximum number of eggs it is certainly necessary that the smaller female lobster should be protected until she has had at least one opportunity of producing the maximum number of eggs that nature intended.

In the state of Maine lobster pounds have received great attention as a commercial enterprise, they being used to retain lobsters until such time as a rising market presents itself.

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As far as I can learn there are no government pounds for propagation or retention of female lobsters, the waters being stocked with young lobsters from the hatchery at Gloucester.

The cost of constructing retaining pounds in Canada will average \$3,000. The maintenance of the same I cannot refer to as there is no data in the department covering this.

The cost of building and equipping a hatchery is \$3,500 (not including wharf), and a yearly expenditure of \$2,500 for maintenance.

On some parts of the Atlantic coast the close season commences before the female lobsters have extruded their eggs, which of course prohibits the successful operation of hatcheries; hence these are the areas where pounds would be of value.

In the cannery are as the hatcheries are, in the opinion of the undersigned, of more value to the lobster industry than retaining pounds.

I wish to state most emphatically that pounds wherever established as an aid to the lobster industry should be owned and managed by the department.

One other point presents itself which is considered a vital one in fish culture, viz., the appointment of the officers in charge of these establishments. The service requires the very best and most reliable men that can be found as on them depends the success or failure of the season's operations.

I am very glad to say that the hon. the minister of this department has approved of a system of promotion in the fish breeding service which will, I am sure, greatly add to its efficiency.

APPENDIX No. 3

HOUSE OF COMMONS,

COMMITTEE, ROOM, No. 32.

THURSDAY, March 11, 1909.

The Select Standing Committee on Marine and Fisheries met at eleven o'clock a.m., the Chairman, Mr. Sinclair, presiding, and resumed the consideration of matters relating to the lobster fisheries of Canada.

Professor PRINCE recalled.

By Mr. Maclean:

Q. Professor Prince, you, the other day, enumerated a number of debatable questions in connection with the lobster fishery, and I think the understanding was that you were to make a written statement to-day after which we could ask questions in reference thereto. Are you ready?—A. I have prepared my views on the points which you mentioned.

Q. What is the first one?—A. I may say that my notes on the different questions are very brief—

Q. That is a very good idea—that they should be brief—after you have finished your statement on each particular point I think perhaps the members of the Committee might ask questions upon that subject before taking up the next?—A. The first point is, 'Lobster size limit.' I favour a minimum size limit because (1) if small immature lobsters are destroyed they never have a chance to spawn and keep up the supply.

By Hon. Mr. Brodeur:

Q. What is the minimum size again?—A. I shall come to that in a moment. Mr. Brodeur, (2) I favour a minimum size for lobsters of 9 inches and over; lobsters of that size bring more remunerative prices than the smaller lobsters. To keep up the lobster supply a 9-inch limit would be wise in the waters north of Cape Canso, and a 10-inch or 10½-inch limit south and west of Canso, N.S. The canners would, for a time, suffer as they rely on lobsters too small for the live lobster trade. The fishermen might also suffer for a time but they would pay more attention to other fisheries. If the lobster fall off much more in quantity, canneries indeed may have to close down altogether for some years, as happened in Maine. Different size limits in adjoining sections of shore are unsatisfactory and encourage violations, if small lobsters may be legally taken in some sections and not in others. Formerly all sections had large lobsters, and the decline in average size is due to persistent over fishing, not, as is sometimes claimed, to smaller races of lobsters in some sections.

By Mr. Daniel:

Q. I would like to ask the reason you make a smaller size north of Canso, is it that the lobsters do not grow as large in that locality as they do in the other parts around the Bay of Fundy, or what would be the reason?—A. This proposal, I might say, is almost a return to the former regulations of years ago, and the reason that I suggest a smaller size limit north of Cape Canso is as a sort of compensation to the fishermen rather than purely from the protective point of view. The fishermen north of Cape Canso would have a very much shorter season, probably six or eight weeks as compared with five or six months south of Cape Canso.

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Q. What makes the season shorter?—A. Climatic conditions prevent fishing for so long a period.

By the Chairman:

Q. What would you say to shortening the season north of Cape Canso?—A. With a larger size limit that, I think, would not be necessary and a season such as I recommend would enable the fishermen to send the lobsters to the markets when they bring the best prices, so that my suggestions would meet the interests of the fishermen as well as the interest of the lobsters.

By Mr. Maclean:

Q. Would the southern part of Cape Canso island be included in that district?—A. No, the dividing line is Chedabucto bay.

By Mr. Kyte:

Q. What advantage would the fishermen west of Halifax have in regard to the season over the fishermen north of Canso—what difference would it make to the fishermen north of Canso, in the length of the season, if they began fishing at the same time as the fishermen west of Canso?—A. You are speaking of the north of Canso now?

Q. No, the season south of Canso?—A. As a matter of fact north of Canso, as a rule, they cannot fish much before May.

Q. The ice leaves up there about the 1st of May and the season ends when?—A. The ice leaves in April in some cases.

Q. And the season ends when?—A. The season ends about the last of June.

Q. They have two months?—A. Yes.

Q. Fishermen in south Cape Breton have two months?—A. Six or eight weeks.

Q. And the fishermen at Canso when do they begin—that is west and south?—A. That of course varies with the weather. But it is earlier, as a rule, than further north.

The CHAIRMAN.—Canso is not the dividing line. It is Point Michaux or rather Red Point.

By Mr. Kyte:

Q. When do these fishermen west of Halifax begin to fish lobsters?—A. Is it the present time you refer to?

Q. Yes?—A. They begin now in December, about the middle of December.

Q. So they fish after the middle of December, how long do they usually continue the fishing operations?—A. Of course, they are interrupted by stormy weather to some extent, but they have practically between five and six months fishing.

Q. They have between five and six months fishing as compared with two months in Cape Breton?—A. Yes, but with a 10½ inch limit; of course, I suggested a 10½ inch limit in that westerly region.

Q. But what is your idea as to the practical results of the enforcement of the size limit among the fishermen of Nova Scotia?—A. I suggest in my remarks a little later on that there should be an educational campaign carried on, but really the matter rests largely with the canners; if the canners unite they can do it.

Q. Had you not better start to educate the officials? Would they not be the best ones to instruct the fishermen as to the necessity of enforcement of the regulations?

Mr. MACLEAN.—What officials do you mean, the departmental officials?

Mr. KYTE.—No, I mean the local officials.

By Mr. Kyte:

Q. As a matter of fact, Professor Prince, is it not your opinion that the regulation is absolutely ignored, or almost entirely ignored.

APPENDIX No. 3

Hon. Mr. BRODEUR.—On that point we might have the evidence, later on, of Mr. Venning, who was sent down last year to investigate that very important question.

By Mr. Fraser:

Q. What is the size limit, at the present time, in the north?—A. There is an 8-inch limit, and varying open season according to the district. You see the committee is being supplied with a statement showing the exact localities where the season varies.

By Mr. Maclean:

Q. You have it in tabulated form, have you?—A. Yes, this was asked for (producing document).

Hon. Mr. BRODEUR.—You might put it on file, and will you please give Mr. Fraser the information here.—A. Shall I read it?

Hon. Mr. BRODEUR.—Perhaps you had better read it.—A. There are nine districts at present defined, where the size limits and the seasons vary, or are different, I should say.

CANADIAN LOBSTER FISHING SEASONS.

Geographical District.	Fishing Season.	Size Limit.
1. St. John County	January 6 to June 29.	9 inches.
2. Bay of Fundy, bordering Kings and Annapolis counties	January 15 to June 30.	10½ inches.
3. Charlotte Co., N.B., and Digby Co., N.S.	January 6 to June 15.	9 in., except in Bay of Fundy portion of Digby Co.; there it is 10½ in.
4. Yarmouth Co., inclusive around Atlantic coast to Halifax Harbour.	December 15 to May 31.	9 inches.
5. Halifax Harbour east to Red Point, Cape Breton ..	April 1 to June 30	8 inches.
6. Red Point northwardly to Cape St. Lawrence, Cape Breton Island, as well as Anticosti Island and North Shore, Gulf of St. Lawrence.	May 1 to July 31.	8 inches.
7. Magdalen Islands.	April 20 to July 10 and month of September	8 inches.
8. From a line drawn from Chockfish River, N.B., to West Point, P.E.I., to one drawn from Indian Head, N.B., to Cape Traverse, P.E.I.	May 25 to August 10	8 inches
9. Remainder of Maritime Provinces bordering on Gulf of St. Lawrence and Northumberland Strait.	April 20 to July 10	8 inches.

By Mr. Kyte:

Q. The compensation that you say the fishermen in Cape Breton would have in respect of the size limit, would depend upon how strictly the regulation is enforced in the provinces as a whole?—A. Its effect would depend upon its strict enforcement.

Q. By the local officers?—A. Yes.

By Mr. Daniel:

Q. What is the date of that order respecting St. John county?—A. Last fall. These reasons have been amended from time to time. They were originally based upon the recommendations of the Lobster Commission, which reported in 1898.

Q. You spoke of the limit in St. John county as being 9 inches. I know until very recently it was 10½ inches there and 9 inches in Charlotte. If I caught your words correctly the limits are reversed now. That must have been a recent order?—

A. The St. John county regulation is a recent change.

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Hon. Mr. BRODEUR.—The limit in Charlotte county was 9 inches and the limit in St. John county was made the same so as to agree with Charlotte.

By Mr. Kyte:

Q. The fishing begins about the middle of December west of Halifax, I understand. What do you say as to giving to fishermen in eastern Nova Scotia the privilege of fishing in the middle of December in view of the fact that they are unable to pursue operations as late in the season as they do west of Halifax? What would you say as to the proposal to give the fishermen of Cape Breton a month's fishing from the middle of November say to the middle of December in lieu of the fall fishing they have in western Nova Scotia?—A. Well, there is really no objection from a strictly official point of view, but there would be strong objection by those in the business on the ground that the fall fishing disorganizes the canning business. It would be the canning that you would chiefly have reference to.

Q. Yes?—A. There is strong opposition to fall fishing in any special districts because it sends into the market canned lobsters which upset prices and the result is the prices are low.

Q. Are there any canneries operated in the western part of the province in the month of December or are the lobsters shipped fresh?—A. The canneries as a rule do not operate until later on in the spring. It is the live lobster trade that receives main attention.

By Mr. Maclean (Lunenburg):

Q. I do not think that is quite correct?—A. I don't think that there is much canning in December.

Mr. MACLEAN (Lunenburg)—In Lunenburg county I think they commence canning in January.

By Mr. Turgeon:

Q. I understand that in Gloucester, Northumberland and Gaspé the limit is 8 inches?—A. Yes.

Q. And in the straits of Northumberland farther east the limit is only 7 inches?—A. Eight inches, but the season differs.

Q. I think the best regulation we can make is to extend the size limit as much as possible. If the size limit is strictly attended we can preserve the lobsters in the future. I believe that in all these districts the size limit should be 9 inches. We might suffer for a year or two but after that we would suffer no more?—A. I think your view a very wise one. The only reason that a low limit was fixed in the straits of Northumberland was that the fishermen held the view that in that locality the lobsters were a diminutive race which from a scientific point of view is incorrect. Experienced canners, like Mr. Tidmarsh, who lives in Charlottetown, have publicly stated that lobsters were as large there as in any other locality formerly but the fishing has been so persistent that the average size was not maintained. I would add that lobster fishermen are apt to look upon the lobster industry as the only industry. They forget it is only one of many industries and that there are others as worthy of attention as the lobster industry. The tendency of the lobster fishermen is to concentrate all their efforts upon the lobster industry which, of course, is a very remunerative and ready cash industry.

By Mr. Kyte:

Q. You said there would be no objection to allowing the fishermen of the eastern portion of Nova Scotia to fish in the fall, but you thought the canners would not operate. That is your statement?—A. Yes, sir.

Mr. WARBURTON.—Would it not be a very serious thing to have two seasons for

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lobsters? Would the lobster fisheries not be still further depleted and would it not still further tend to their destruction?

Mr. KYTE.—You have that practice, I see, now in some parts of Nova Scotia.

Mr. WARBURTON.—I know we have, but your proposition would make it worse.

By Mr. Maclean (Lunenburg):

Q. The commission in 1898, found against fall fishing, did they not?—A. They reported against it.

Q. And you were unanimous about that were you not?—A. Yes, we were unanimous; the feeling seemed to be so strong.

Mr. KYTE.—But there is fall fishing, as a matter of fact, west of Halifax.

Mr. MACLEAN (Lunenburg).—But east of Halifax I am talking about. Should fall fishing be practised in Cape Breton?

Prof. PRINCE.—I doubt very much whether it would be a paying enterprise.

Q. The canners would not likely favour it, would they?—A. The canners would oppose it.

Q. The canners, you think, would be against it?—A. The established canners would be against it. The only danger would be that canning would be carried on privately, which is undesirable.

Q. The canner would have to gather his equipment and employees for a month and then disband them, would he not?—A. From a commercial standpoint, it is really undesirable.

Q. It is impracticable commercially?—A. Commercially, yes.

Mr. KYTE.—That is, you believe it is.

Mr. MACLEAN.—I don't think there is any doubt about it.

Mr. KYTE.—If the canners will not operate their factories during the fall you cannot fish.

Mr. MACLEAN (Lunenburg).—There is this objection: every man and woman in the district would be canning lobsters in any old way. These would be thrown upon the market and would injure the product of a good cannery.

A. There are two views on that matter. It is maintained by many that there are a number of soft-shelled lobsters, but as a matter of fact, one of the best authorities on the Atlantic coast has assured the department that the lobsters are in the best condition late in the fall.

By Mr. Maclean:

Q. In western Nova Scotia, as Mr. Kyte, pointed out, the season seems very much longer than in Eastern Nova Scotia, which is a fact, of course; but it is also a fact that for a great part of the winter months they are unable to fish, and the catch is limited by reason of the weather conditions; is that not true?—A. That is true.

Mr. KYTE.—That is true also of Eastern Cape Breton, because in the spring the ice comes in there and destroys their catch. It happened two years ago that the ice came in in the last of May and destroyed every vestige of the lobster gear on the southern coast of Cape Breton, so that the fisherman there only had a couple of weeks?—A. The canners cannot afford to pay high prices in December and January; the prices then is high for canning purposes, it is just the live lobster trade that pays then?

By Mr. Kyte:

Of course a business in live lobsters could be developed.

By Mr. Fraser:

Q. Is there any sound reason why there should be so many different seasons and so many different sizes upon our small coast line. There are practically only two

expanses of coast, one on the north and the other on the south, and we have nine different districts and nine different sizes.

Hon. Mr. BRODEUR.—Not nine different sizes, there are nine districts.

Mr. FRASER.—I would like to ask Professor Prince if there is any sound reason for such a number of divisions on such a small coast line as we have there?—A. Perhaps with the permission of the chairman I might read my note on that point which is the next I was to deal with, namely, 'Close Seasons.'

Hon. Mr. BRODEUR.—Before we pass from this item perhaps there may be some other questions.

The CHAIRMAN.—I think we had better exhaust this item before we go to another.

By Mr. Maclean:

Q. As I understand it the development of the lobster depends upon the temperature of the water, does it not?—A. The young lobster?

Q. The young, the growing lobster?—A. To some extent it may be hastened or retarded by variation of temperature; if it is cold they grow more slowly.

Q. I think I saw in some paper which was read by you somewhere that the temperature of the water determined pretty largely the growth of the lobster?—A. In some fisheries it is really a most important element; in cod and fishes of that kind the growth is directly affected very seriously by the temperature, but in the lobster it cannot grow much without casting its shell and the consequence is that its mode of growth is very different from that of most other animals, and while cold does materially restrict its growth it does not stop it altogether.

Q. Did the question of the temperature of the water have anything to do with the Commission of 1898, making findings as to the different divisions?—A. As chairman of Commission I may say that the sole ground on which matters of that kind were decided, was by the evidence of the fishermen. Some members of the Commission thought that the evidence was not always wise or reliable, but still that is the opinion of the fishermen.

Q. I find that most people in Lunenburg county say that the season is too long in that district?—A. There is a growing feeling, I think, in the lobster business, especially among the best business men, that a shorter season would be the right measure to adopt to protect the lobster.

By the Chairman:

Q. Is it your opinion that in a given number of years the lobster will develop to the same size in the colder waters of Newfoundland as it would in the bay of Fundy?—A. Practically my studies of the growth of fish have shown that low temperature retards growth, but the curious fact remains that some of the largest lobsters caught on the Atlantic coast are those which are taken on the Newfoundland and Labrador coast, and that shows that they are what are called 'deep water lobsters,' and are more independent of the difference in temperature than those that are found in shallow water.

Q. Might these large lobsters not be very old ones?—A. It may be that they are older lobsters, but in deep water their growth would not be retarded by difference in temperature as it would be in shallow water.

By Mr. Maclean:

Q. You are on record as saying that you only found lobsters carrying eggs when they were over seven inches long. I think you said that—I am not sure?—A. I think the point you refer to, Mr. Maclean, is this, that it has been maintained by certain American experts that the lobster does not spawn at all under nine or ten inches, and indeed it was asserted by one Canadian authority, who is a member of parliament, that the size of 10½ inches was the minimum size for a spawning lobster; yet I have in my office a lobster 7½ inches long carrying eggs.

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Q. What do you mean by that? That under 7½ inches you rarely find them carrying eggs?—A. Even a 7½-inch lobster carrying eggs is an exception.

Q. Then how do you justify making the size limit so small in certain districts, say the Northumberland strait; is not that detrimental to the lobster business if you are going to let them take lobsters that do not carry spawn?—A. I may state that the finding of the commission was not my individual opinion, and that my own opinion would be distinctly against the use of lobsters as small as that, and the very criticism you urged against commissions the other day is, I think, justified by just such recommendations as that.

Q. Is nine inches a good limit?—A. Nine inches is considered quite a good limit.

Q. And fair all round?—A. Fair all round.

By Mr. Turgeon:

Q. And if you could get nine-inch lobsters it would be all right?—A. That would be all right.

By Hon. Mr. Brodeur:

Q. Do you not think if we were to pass regulations providing for a nine-inch limit to-day in some places the result would be that the canneries would have to close?—A. A nine-inch limit, Mr. Brodeur, would certainly close up a large number of the canneries who depend upon lobsters of even smaller size, where they have to get seven, eight and even ten lobsters to make a one-pound can.

Q. Would it not be better to begin by revising the size limit, and increasing it step by step until we have reached the nine inch, and have the regulations properly carried out?—A. That certainly would be a good suggestion, but my feeling is that the fishermen are neglecting other fisheries for the lobsters, and that therefore the curtailment of the lobster fishery would simply mean that the fishermen must attend to the other fisheries. The lobster fishery has been so profitable that it has led everybody, even farmers, to neglect their farms or business in order to take part in that fishery, and that has not been a benefit to the fisheries as a whole.

By Mr. Maclean:

Q. It does seem rather unfair for the Department of Fisheries to say that lobsters under 7½ inches do not carry spawn, and yet to permit lobsters to be killed which cannot have spawned? That does seem as though it would be destructive to the lobster, does it not?—A. It means extermination really unless you supplement it by hatcheries. In the particular locality where this small size limit was approved by the 1898 Commission, there is our oldest established hatchery, and the fishermen hold the view that that hatchery has done a good deal to keep up the supply—I mean the Pictou hatchery.

By Mr. Kyte:

Q. Do you agree with the statement made by a gentleman who delivered an address in Boston last fall. I think he is an American and speaking upon lobsters he said that it was injurious to the lobster fisheries to destroy the small ones rather than the large ones. Did you observe that?—A. Yes. I personally know the expert, Dr. G. W. Field, who gave that opinion and I should hope if it is possible that this committee may have the advantage of that gentleman's views stated here.

Q. That is quite a contrast with the generally accepted view?—A. It is an entirely novel view.

Mr. MACLEAN (Lunenburg).—How would you get big lobsters if you killed all the small ones?

Mr. KYTE.—I am simply saying this gentleman made the statement and based an argument on it.

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By the Chairman:

Q. Prof. Prince, if it is true that the size limit is disregarded all along the coast and that there is no attention paid to it at all what would you say to abolishing it and putting on the screws with regard to the seed lobsters? The point I want to make is this: that if the size limit is disregarded altogether and is no good at all, would it be any harm to abolish it?

Mr. CROSBY.—It would be better to abolish it than have it in existence and not carried out.

Mr. MACLEAN (Lunenburg).—It is not disregarded altogether.

The CHAIRMAN.—I just want to know, I have heard that it is.

Prof. PRINCE.—My reply to that is, it is better to have several modes of protecting the lobster. The berried lobster is the most difficult to preserve because it is so easy to remove the berries. Therefore, if you rely solely upon the berried lobster regulation you are relying upon something that can be easily evaded by the fishermen brushing the eggs off. But a small lobster cannot be made into a big one and a small lobster regulation if enforced by the officers would be effective in preserving a large number of lobsters until they reach a more marketable size. The question of enforcement is a very serious one. Officers are divided into two classes: those who will enforce the laws if allowed to do so and those who won't. I have known officers who very earnestly have attempted to carry out the regulations and they got the support of some canners and a number of the fishermen and sometimes perhaps the support of members of parliament, but not always.

By Mr. Jameson:

Q. The Chairman has made reference to the berried lobster and I might say that in the county of Digby, and the Bay of Fundy and St. Mary's bay, along the coast of that country, the fishermen have adopted an almost invariable rule of handling those lobsters most tenderly and whenever they take them put them back in to the water again. It seems that a code of honour has developed amongst them because I think some time ago a pamphlet was circulated down there and the educational system, which Prof. Prince referred to a little earlier, was adopted with regard to that particular aspect of the fishery; so that to-day I do not believe there are many berried lobsters destroyed by the fishermen. But, Prof. Prince, we were referring a moment ago to the regulations which were adopted on the recommendation of this Commission of 1898. While you said that you did not personally approve of them all at that time and you now suggest some changes with respect to the size limit and the seasons, do you regard the regulations, the districts and the size limits which were then adopted as having been given a fair and reasonable trial since the time of their adoption, and do you regard the result of the fisheries to-day as being due to the enforcement of these regulations?—A. I think that they have been given to a certain extent a fair trial and that they have done some good in a great many localities. The close seasons, for instance, are observed. The gear on the whole is taken out—although of course there are some violations—when the season begins. That shows the regulations are so far effective.

Q. That is as regards the length of the season itself. Now as regards the size of the lobsters taken?—A. The size limit I am told is almost universally ignored with the exception of the very locality you spoke of with which I am well acquainted and one or two other localities, where the fishermen and the canners have a code of honour and return lobsters to the water. I can vouch for it that these districts are districts in which the lobster fishery has been maintained better than in the other localities where the size limit and the berried lobster regulations have not been well observed.

By Mr. Crosby:

Q. What observation is there in regard to the regulations for the restrictions of the size limit of lobsters? Is there an officer in each district to see that the limit is

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observed?—A. Each district is under an inspector who has local officers under him. I have myself, on many occasions, driven around and accompanied an inspector to the canneries and have seen him seize lobsters and fine canners for having in their possession berried lobsters and undersized lobsters in Cape Breton county. I have been myself present when the canners have been pounced upon and I understand that where the inspector is active in moving up and down the coast, infractions are far less frequent than in those districts where the officer remains at home and does not look after his duties. So it is essential, of course, to have active and efficient officers who are in earnest and to have the department and everybody supporting them and backing them up.

Q. Would it not be well if you could have that inspection made when the lobster was being brought ashore so that it could be returned to the water immediately rather than have it made in the cannery after the lobster has been boiled when it is practically destroyed? There should be some regulation so that the officer could see these lobsters when they come in in the different districts. Of course, as you know, a lobster will live for quite a time, but it would be better if it could be seen immediately after being landed and returned to the water in plenty of time to save its life?—

A. I think if all the canneries were unanimous in refusing to take berried lobsters, and undersized lobsters, the fishermen would not bring them ashore. It rests with the canner, he is to blame.

Mr. MACLEAN (Lunenburg).—The fishermen come ashore with lobsters at all hours of the day and night.

Hon. Mr. BRODEUR.—I do not think, Mr. Crosby, your suggestion would be at all possible because it would require the employment of too many people.

By Mr. Jameson:

Q. I was speaking to you with regard to the effects of the enforcement of these regulations following the Commission of 1898, and my friend from Halifax interposed another question. Now, in view of the fact that you say the size limit is disregarded, do you think that these regulations have been given a fair test?—A. Well I modified it by saying to a certain extent. I think those were the words I used. I said they had been given on the whole a fair chance, and I referred especially to the close season which stops the fishing after a certain date. That I think has been a great benefit. The fact that certain regulations are in force does, I think, deter fishermen to some extent. They do not do it so openly and continuously I think if they know there is a law against it, so that berried lobsters I think, would be put overboard by fishermen, and in certain localities I know they are.

Mr. MACLEAN.—In the county I represent I do not think there is any violation of the regulation with regard to berried lobsters, I fear there might be in regard to the size.

By Mr. Jameson:

Q. Before we get off this question, perhaps this may not appertain to your part of the department, but with regard to the lobsters that are shipped from the port of Yarmouth, do you know of any complaints having been received as to the confiscation of lobsters that have been seized in transit by the fishery officers at Yarmouth for alleged undersize.—A. I have myself been on the wharf on several occasions when the officer at Yarmouth has seized cases of lobsters and I have noticed that in some crates there was quite a large proportion of small lobsters and that in a large number of crates on the occasions I have been there the lobsters seemed to be all right and a proper size. But it is like everything else, some men will try to send through some undersized lobsters and the inspectors have made seizures and if complaints have been made about the inspector's methods I rather think myself he should be supported in such seizures as he is protecting the lobster industry and the lobsters.

Q. What disposition should be made of the lobsters that are seized under circumstances of that nature? Have any complaints reached the department with regard to

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the disposition he has from time to time made of them?—A. That is a matter which perhaps Mr. Venning might deal with. They are sold I believe. There has been a great deal of correspondence which I think Mr. Venning when called upon might deal with, especially on the question as to the disposal of lobsters that have been seized.

By the Chairman:

Q. Would it be possible to have a standard trap that would allow the small lobsters to escape and would retain the larger ones? And to have a regulation for the inspection of traps in the place of inspecting the lobsters? I have heard that suggested, and I want to know what you think of it?—A. I am afraid that it is not possible to devise a trap which will allow all the young ones to escape. They have a very fatal habit of clinging very firmly to the trap, and I have heard fishermen describe the methods which large lobsters adopt in trying to drive the small lobsters out of the trap, but they will not go, they cling to the slats of the trap; it is difficult even with an enlarged slat to ensure the escape of those small lobsters. The only thing is to liberate them. Dr. Field, the expert to whom Mr. Kyte referred, proposed to have an entrance of such dimensions as will not admit the large lobsters and that would be effective, if the lobster does not get in of course he is safe, but if he gets into the trap it is difficult to get him out.

Q. That is all right if we adopt the policy of preserving the large lobster?—A. If that policy were adopted of course by this method it might be carried out. But as a matter of fact the traps are being made more and more destructive. There is what is called the 'parlor' trap and the 'wheeler' trap and other traps of a destructive nature have been devised to keep every lobster in the trap, once he gets in. I have not much faith in the wide slats as a means of saving the young lobster for the reason that the young lobster once he gets in will not go out as readily as he might.

By Mr. Maclean:

Q. Cannot something be done to make the canner obey the law?—A. I think that is a very simple matter. If the officers are instructed to carry out the law they will do it, I think.

Q. How would it do to have an officer in each cannery?—A. That is not necessary; a patrol for enforcing the fishery regulations is better than a man continually on the spot. An officer moving up and down and the canners not knowing when he may appear is a more effective method.

By Hon. Mr. Brodeur:

Q. The number of canneries is too large to put a man in each?—A. Yes, there are too many canneries, it is impossible to have an officer at each cannery, and even if he did remain in the cannery very long he would become very friendly with everybody and the enforcement might not be as effective.

Q. At the present time each officer has a certain number of canneries under his supervision as Mr. Maclean suggests?—A. That, Mr. Brodeur, really is the present practice. Each officer has a comparatively small number of canneries to visit, but the district inspector makes longer patrols. When I have gone there with the inspector I have found in some cases the inspector did his duty, and in others he did not. The only thing is to have officers who are really in earnest and I do not know whether I should add to that that they should not be interfered with in the performance of their duties.

By Mr. Crosby:

Q. Have you had canning factories reported to the department for illegal canning of lobsters, who were afterwards relieved of the penalties?—A. That I think has taken place the action of the officer has practically been annulled or undone.

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Q. Yes, when the officer made his report communication has been had with the department and the matter has been allowed to drift without any further action.

The CHAIRMAN.—Can we get along to the next point now?

Mr. JAMESON.—Just one observation I wish to make in respect to the seasons. One of the members of the committee seems to think the season in the Bay of Fundy unduly long. I wish to say that on account of the particular months in the year during which the fisheries are prosecuted in that particular district, the length of time during which the fishermen can actually carry on fishing is regulated very largely by the weather, and time after time after the traps have been set the entire gear and paraphernalia has been swept away by storms. So that the season there is very largely regulated by the weather, and the actual length of time during which fishing can be carried on is very much cut down and shortened.

Mr. KYTE.—That condition also exists in eastern Nova Scotia. Now, east of Canso we have two months, at the best, fishing, while in other parts of the province they have five or six months during which they can fish. I think that is unfair, and inasmuch as there is no objection, from a fishery point of view, to our having a fall season in eastern Nova Scotia and Cape Breton, I would certainly suggest that it be allowed.

Mr. MACLEAN (Lunenburg).—The interruption by the elements is greater from December to May than from May to the last of June, surely?

Mr. KYTE.—Not when you take into consideration the fact that two years ago every vestige of gear, practically from Gabarouse to Arichat, was destroyed by ice on the 1st day of June.

Mr. MACLEAN (Lunenburg).—That happens two or three times during the season, practically every month, in the western portion of Nova Scotia, and then the canneries are not in operation in the fall.

Mr. KYTE.—The canneries may not be in operation, but there is a market for the live lobsters, for as we know, other fishermen ship their live lobsters to Boston in the month of November.

The CHAIRMAN.—Professor Prince has not yet reached the paragraph relating to close seasons and he is going to read it now, if you will give him an opportunity.

Mr. CROSBY.—Before we get away from that I would like to have some information brought down with regard to the reports on visits to canning factories by the officers, and whether it has been the policy of the department to carry out the regulations, or whether men have been relieved when the officers have reported. The officers of the government have reported men, so I have been informed, who have been let off without being held to the regulations. There must be some information on that point, and that can be brought down at some time.

Mr. MACLEAN.—Mr. Venning probably would have that.

Mr. CROSBY.—It is important if we are going to continue the close season that the regulations should be enforced or else strike out the regulation altogether.

Mr. MACLEAN.—There has been no violation of the close season, I think?

Mr. CROSBY.—I am speaking about the regulation with regard to size; I desire it to be understood that my remarks apply to cases where the local officers have reported to the department men who have been canning small lobsters, and where the men in question have used their influence in trying to have the law evaded.

The CHAIRMAN.—Last winter, Mr. Crosby, there was a motion passed by the House to give a return of the prosecutions for a number of years and that return has been brought down. You can refer to it and see the name of every man that was prosecuted, what he was prosecuted for, and what became of the case. That is a complete return of all cases up to some time last year.

Mr. CROSBY.—Probably that will be satisfactory.

Mr. FRASER.—Before we leave the matter of the size limit, you are well aware that the lobster fishermen are paid mostly by weight. Now, take the size limit and it is going to cause irritation and contention continually between the canner and

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the fishermen. At present in the province of Prince Edward Island, I think the Department is well aware of it, this law is more honoured in the breach than in the observance as regards the size limit. If the size limit were to be strictly enforced I think every factory in Prince Edward Island would be closed up. I feel sure it would, and I think the department is well aware of that. The way to provide a remedy is to remove the existing cause of irritation as between the fishermen and the canner. Now the traps have been brought to such a stage of perfection, as some one has said, that each contains a kitchen, a parlor and a sittingroom in which everything is caught that comes. The catch is brought to the factory where payment is made by weight. The fishermen have invested their time and money in getting ready their gear, and to draw the line too closely would be to create considerable irritation. I think the department should intervene in some way between the canner and the lobster fisherman so that this would not be a cause of conflict as regards the size. Because if a man comes in with a boat load of lobsters, he may have lobsters that are 6 inches or 8 inches, it may be some are a quarter or a half an inch under the limit. How is a man going to get down and measure every lobster. Therefore, the law will be continually broken, and it is very hard to carry out. While, as Professor Prince has said, the close season has been well observed, the same cannot be said of the size limit, and the consequence is that this infraction of the law has grown until, as I have already said, the law is more honoured in the breach than in the observance.

The CHAIRMAN.—I would suggest to the Committee that we are not making much progress. If honourable gentlemen would confine themselves to asking the officers questions it would be better. Honourable gentlemen will be given ample opportunity of discussing this question among themselves later on, but in the meantime instead of making addresses let us examine the officers and find out what they know. That would be my suggestion. Now will you please go on, Prof. Prince.

PROF. PRINCE.—I now take up the next point as to the close seasons, but before doing so I might say this: I think the observance of the close seasons has been largely due to the fact that the cannery themselves have closed down. If the cannery went on packing illegally the fishermen would go on fishing and, therefore, on the canner mainly rests the blame for infractions of the law, not on the fishermen's shoulders at all; it is the canner who is to blame. My note as to close seasons reads as follows:—

The best and most effective close season would be one universal period on the whole coast, say July 15 to January 1 following. It would make the season short for fishing in east and northern waters, but that is a step urgently pressed by many prominent men in the business. The next step is to restore the old season, viz., July 15 to January 1 north of Cape Canso, and July 1 to January 1 west and south of Cape Canso. In the latter district the live lobster trade is becoming most important, and weather permitting catches can be made early in the year. The season would be longer but a larger size limit would be enforced. In the former district the open season would be short, beginning in April or May, but a smaller size could be legally taken.

The present seven sectional seasons (and the size limits) were based on the Lobster Commission's report, 1908, and accord with prevalent opinion amongst fishermen in certain localities, but it is unwise if the lobster as a great national resource is to be improved and maintained.

A close season from July 1 to January 1 would be an immense benefit because:—First, it protects in July and August the main spawning and hatching months. Second, it protects soft shell lobsters, which are most plentiful just about that time. Third, it shortens the season, as is urged by numerous important persons in the business. Fourth, it renders enforcement of the law easier. Sectional seasons demoralize the whole system of legal protection.

By Mr. Jameson:

Q. You might just go on and explain that?—A. If small lobsters may be caught in one section and not in another, it would be difficult for the minister if a case of seizure

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of small lobsters was appealed to him to say there was not some excuse for the possession of these lobsters. It could be easily claimed, I won't say proved, and there might be some justification for the claim, that the lobsters had been caught in a district where the small lobsters were legal. So you cannot make a seizure with any certainty so long as persons can legally take small lobsters in a particular section.

By Mr. Maclean (Lunenburg):

Q. That would only apply to a territory in close proximity to the divisional line, would it not?—A. At St. John, N.B., a number of crates of small lobsters were seized, and it was claimed they were caught in Northumberland straits. Personally I believe they were not caught there at all, but it was most difficult to disprove the assertion of the man who shipped them.

By Mr. Warburton:

Q. What time of the year would that be?—A. It was in the open season; it was in July, I think.

Mr. KYTE.—The burden of proof was upon the man who had the small lobsters in his possession.

By Mr. Jameson:

Q. Where were they being shipped to?—A. They were being shipped to New York, if I remember aright.

By Mr. Daniel:

Q. They were seized in the hands of the dealer, not in the hands of the fishermen?—A. They were seized at the railway station.

Mr. DANIEL.—And they belonged to some shipper.

By Mr. Maclean (Lunenburg):

Q. I could not follow your remarks as you read them, but I understand you to suggest that from July to January 1 should be a close season and the balance of the year should be open?—A. Yes, that was the suggestion that I made, and it ought to be rigidly carried out.

By the Chairman:

Q. You made two suggestions?—A. I made two suggestions. One was a universal close season and one size limit, and the other two seasons with two size limits as was the early policy of the department for a great many years. I think Mr. Venning will agree with me that was on the whole a very satisfactory policy, the system of two seasons and two size limits.

By Mr. Jameson:

Q. Would that affect the market in regard to the export of lobsters? The seasons of course, overlap to some degree at the present time but they are extended, are they not, over a longer period than they would be under that regulation? Would not the result be that you would have all the lobster fishermen engaged in fishing, and as many of them as could would be selling and exporting their catch at the same time? Would not that prejudicially affect the market and produce a lowering of the prices?—A. I think not, Mr. Jameson, I think it would mean that present conditions would continue in western Nova Scotia, practically the present conditions, and there would be favourable days for shipment from Cape Breton and other localities which would not do any very great harm. But when the close season did begin it would be rigorously enforced, and that I believe would be the most beneficial result. The next point is with regard to 'berried lobsters.' It is universally agreed that berried lobsters must

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be protected. The lobster supply cannot fail if berried lobsters are allowed to hatch their young, yet canners openly use them and encourage the men to bring everything to the canneries to make a big pack. At the high prices for canned lobsters in recent years few canners care about anything but making the largest pack possible each season. A few canners look to the future and discourage the destruction of berried lobsters, but other canners will take what the more judicious canners refuse. Good might follow, if the department seriously conferred with all the canners to secure the return to the water of berried lobsters, if the canners would not handle them that would be done in other words an educational campaign among the canners would I think be beneficial.

By Mr. Kyle:

Q. These canners must pay a license?—A. Yes, they pay a license.

Q. It appears to me that when they pay a license you could control their action very successfully. And if a man persistently took berried lobsters in violation of the law it should be considered an offence which would justify the cancellation of his license.

Mr. MACLEAN—Give them something stiff as a penalty.

The CHAIRMAN—The cancellation of the license is pretty stiff.

Hon. Mr. BRODEUR—That will be stiff enough.

The CHAIRMAN—It will be effective.

Mr. MACLEAN—Cancellation of the license is too easy.

A. Closely connected with this question of 'berried lobsters' is that of the 'export of berried lobsters.' Enormous quantities of berried lobsters have been collected by United States smacks and transported to Maine and Massachusetts where they were impounded, their eggs hatched or removed to supply the United States hatcheries and the United States waters have been replenished at the expense of our lobster supply. The 1898 Commission called attention to this, and the International Commission now at work is understood to favour the rigorous enforcement of an export prohibition of egg or berried lobsters. That export has been a serious drain on our lobster fishery.

By Mr. Daniel:

Q. Will the professor give us the action taken by the United States authorities for the preservation of their lobsters and whether the laws that are promulgated and enacted in the States, I presume in the different states of the union, are really enforced and put into practice, or whether they are, like ours, allowed to fall into disuse. If the professor had any evidence or any knowledge on that matter I think it would be useful if he would give it here so that we can see whether there is any difference in the two countries; whether the laws of the United States are carried out any better than those in Canada with regard to the size limits and the close seasons, or in regard to the berried lobsters, anything of that kind?—A. I might say in reply to that that at the present moment the laws are pretty well enforced in Maine, Massachusetts, and New York State.

By Mr. Maclean:

Q. But they have no canneries there?—A. But they have no canning industry existing to any extent. Formerly I can personally vouch their laws were not enforced. I was down on the Maine shore more than once and in what was called the close season their law was not enforced, but in recent years there has been a determined effort to preserve the lobster industry, and I think that the size limit is pretty well observed at present and any lobsters, especially those coming from Canada to Massachusetts or Maine which were under their size limit would be dumped into the water.

Mr. MACLEAN—Where the consumption is of fresh lobsters it is much easier to enforce the law. The whole trouble arises through the canning industry.

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By Mr. Daniel:

Q. If the whole trouble arises in the canneries the remedy is right in our own hands. It appears to me it would be a very simple matter to carry out the law regarding the canneries by having a man there to inspect them as long as necessary, and, as suggested, to take away their license if they do not obey the law. It seems to me it ought to be very much easier to carry out the law where the whole trouble exists in the canneries, than it would be where it has to be carried out by looking after the fishermen?—A. The first point is what the law should be that we propose to carry out.

Mr. CROSBY.—You have a law now.

Mr. DANIEL.—Carry out the laws you have now.

Hon. Mr. BRODEUR.—I think that to do so would in some cases be a very serious hardship in respect to the canneries.

Mr. DANIEL.—Then your law must be wrong, have the laws right. The law should be enforced and if it is not a right law let it be repealed.

By the Chairman:

Q. You stated that you were opposed to the exportation of berried lobsters; is that done now, or if it is done, is it not illegal?—A. It is illegal by the present law, yes.

Q. You cannot export berried lobsters now unless you break the law?—A. Not unless you break the law by taking and possessing them.

Q. Do you know that it is done?—A. The method under which it is done is that smacks come along the shore and collect them and take them away without ever coming ashore.

Q. Taking them away to the United States?—A. Yes.

By Hon. Mr. Brodeur:

Q. Are these American vessels?—A. American vessels.

Q. Do they come within the three-mile limit?—A. It is largely within the three-mile limit that is done.

By the Chairman:

Q. You have no information as to what extent that prevails, I suppose?—A. No, I could not say that, but I can say that a number of vessels are doing it.

Mr. CROSBY.—Is there not an opportunity to confiscate all these vessels if they are within the three-mile limit?

By Hon. Mr. Brodeur:

Q. But supposing they do not fish within the three-mile, suppose they simply purchase the lobsters.

Mr. CROSBY.—If they purchase the lobsters it would be all right.

Hon. Mr. BRODEUR.—I do not think they fish within the three-mile limit.

The CHAIRMAN.—Having the berried lobsters in possession is, I think, an offence.

Mr. MACLEAN.—Is there not a law imposing a penalty for having possession of berried lobsters? We should have a stiff penalty as against the canners. I do not mean a money penalty, but imprisonment and confiscation of the license. Why should such a law not be enacted under which a canner should go to jail for violation of the law? By doing that you would be getting at the man who is responsible for the whole trouble?—A. I may say that this matter of the export of berried lobsters will probably be effectively dealt with if we have an international understanding which I refer to in my notes here. The International Commission have already publicly announced that some international arrangement with regard to prohibiting the exportation of berried lobsters from, and their importation into, the United States would be adopted.

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By Mr. Daniel:

Q. In the United States what are the laws in regard to the sale of berried lobsters on the market, do you know?—A. I think the conditions differ in different states. For instance, in New York State I don't think there is any such regulation. I think in Massachusetts they have a law, but in Maine there is a provision that a fisherman is not liable for taking or possessing berried lobsters if he is to liberate them.

By the Chairman:

Q. What becomes of the berried lobsters that are exported?—A. They are kept in pounds there until the price rises. They are bought cheaply in Canada and then sold in the United States markets when the prices are very high.

Q. They are not purchased by the United States government for breeding purposes?—A. No. I understand the United States government officers have got supplies of spawn at times to supply their hatcheries, but that has been done after the lobsters have reached their destination. The next point I proposed to deal with was the limitation of licenses.

The sole object of a Dominion license is control or restriction. Revenue has never been aimed at, hence the fees are low. The licensee has a right to expect protection and some advantage, and the department ensures this by preventing overcrowding of licensed canneries and by refusing new licenses where the inspector and local officer report that the industry will not safely stand more exploitation. The only alternative is free canning and free fishing as in the United States with, as a rule, the ruin of the fishery concerned as a sure and certain result. Our lobsters and fish generally have maintained a better condition, have been more plentiful, owing to our restricted and preservative policy. An increased number of cannery licenses would mean:—

- (a) Increased demand for lobsters to keep up the pack of the increased number of canneries.
- (b) Greater destruction of small immature lobsters.
- (c) Vastly increased traps and gear, and frantic efforts to take every lobster and spare none, in order to meet the new cannery demands.
- (d) An increase in badly packed goods by small packers without capital. The bad repute of canned lobsters was due to small packers to whom a few dollars in cash is more important than trade reputation for a good quality of pack.

By Mr. Warburton:

Q. Are not the small packers in the hands of large concerns who give them supplies and buy their pack from them?—A. That is very generally the case, but still there are a large number of small packers, mostly on the New Brunswick shore, who usually take a couple of hundred or perhaps a hundred cases. Now I go on to say in regard to canning licenses to foreign firms.

‘I have officially, some years ago, recommended that in view of the number of resident Canadians applying for licenses, applications should be refused in all cases, where an alien firm was known to be mainly or solely interested, but the minister at the time (1898) did not favour my suggested refusals. It is an anomaly that Canadians should be refused while packing licenses issue year after year to canneries really owned and run by alien firms. The local officers are fully aware of these cases yet they recommend them. This would not occur if bona fide Canadians only were entitled to licenses. There is no complaint against such United States firms as the Portland Packing Company or Burnham and Morrell, but the lobster business is a paying one and alien capital and enterprise are not essential, and our own applicants have first claim in my opinion. Alien firms have amassed wealth out of our lobsters while the Canadian fishermen reap little benefit and usually remain poor. The amount of gear, i.e., perhaps, should be limited, hence a lobster fishing permit

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should be required at a nominal fee. Only bona fide fishermen would be recommended by the local officers who would not be crowded out by visitors from the United States, schoolmasters and store-keepers as now. Anybody goes into lobster fishing at the present time, but a lobster permit would ensure that privilege to a fisherman who should be recommended by the local officer. Some localities are simply a network of overlapping, entangled lobster gear, and disputes and quarrels occur, while the lobsters are being exterminated by this excessive fishing season after season.'

By the Chairman:

Q. Where does that take place?—A. Well, the Straits of Northumberland are just a network of lobster gear.

Q. But where do these intruders come in and fish, these school-masters and store-keepers, and others?—A. They are probably American visitors who have come over just to spend the summer.

Q. Where does that state of affairs prevail? I never heard of it in any place I have been on the coast?—A. It is a very common thing.

Q. You urge that as a reason why the ordinary fishermen should have to obtain a license, the fishermen do not get the fishing themselves but storekeepers, blacksmiths and other people are taking it out of their hands. That is the idea I got from your statement?—A. Yes. Along the coast of Prince Edward Island and the shores of New Brunswick we find that lobster trapping is carried on by everybody that can get into it and they are neglecting everything else. Farmers are leaving their farms and schoolmasters when their holidays come are going into lobster fishing. But, I think, that in the interest of the general fishermen that kind of thing should be stopped. I have known United States citizens staying on the Gaspé coast for the summer who got lobster traps went out fishing and sold their catches of lobsters to canneries.

Q. Do you control the transfer of a license from one man to another in any way?—A. Yes.

Q. If you made a rule that a foreigner could not get canning licenses would he not get a Canadian to take one out and then transfer it to him? Do you control the transfer of licenses at all?—A. Yes, it rests with the Minister of Marine and Fisheries. No transfer can take place without the matter being brought before the minister.

Mr. MACLEAN (Lunenburg).—You would have to provide against that.

Mr. CROSBY.—They are very particular about that. There are only a few people that get licenses now. As I understand it, Mr. Chairman, a few years ago a law was passed that within three years from that date nobody would be able to obtain a license but the people then in possession of them. That time is up now. I understand that a great many large firms secured a license. One man who has held a license for years rented his premises and then took a license out for that. Just as soon as the time limit expired, however, the place was closed up and this man who owned a lobster factory and held a license perhaps for years previously is now unable to get one; he is shut out from being able to get a license on account of the law. I don't know whether any change has since been made in the law but I understand that is the case. There are quite a number of men in the province of Nova Scotia, and perhaps in other parts of the country, who have held licenses in the past and have rented their factories to other men who took out a license in the meantime, but the time limit having expired those licenses cannot be renewed. I think that is the case.

Mr. MACLEAN.—The licenses are not assignable to-day are they?—A. No.

By Mr. Kyte:

Q. How many licenses can you say, from memory, have been issued in Nova Scotia, within the last five years? None at all?—A. Very few, there might be a few.

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By Mr. Crosby:

Q. None at all?—A. Not for three years except that there were some co-operative licenses.

By Mr. Maclean.

Q. Have you that statement prepared showing the number of canning licenses in each county?—A. Yes, the statement is ready for the committee.

Hon. Mr. BRODEUR.—You might put that statement on the record now.

(Statement filed as follows):

STATEMENT of Lobster Canneries Licensed in the different Provinces during the Season of 1908, shown by counties.

	Canneries.	Total.
Nova Scotia—		
County of Antigonish.. . . .	6	
Cape Breton.. . . .	14	
Colchester.. . . .	2	
Cumberland.. . . .	38	
Digby.. . . .	7	
Guysborough.. . . .	30	
Halifax.. . . .	21	
Inverness.. . . .	18	
Lunenburg.. . . .	7	
Pictou.. . . .	21	
Queens.. . . .	7	
Richmond.. . . .	11	
Shelburne.. . . .	24	
Victoria.. . . .	16	
Yarmouth.. . . .	14	
	—	236
New Brunswick—		
County of Charlotte.. . . .	4	
Gloucester.. . . .	66	
Kent.. . . .	47	
Northumberland.. . . .	12	
Restigouche.. . . .	2	
Westmoreland.. . . .	59	
	—	190
Prince Edward Island—		
County of Kings.. . . .	54	
Prince.. . . .	94	
Queens.. . . .	55	
	—	203
Quebec—		
County of Bonaventure.. . . .	11	
Gaspé.. . . .	63	
Gulf Division.. . . .	20	
	—	94
Total.. . . .		723

A. With respect to foreign firms it is not only known to local officers, but to myself, that certain canneries are operated by foreign firms. There will be no difficulty in saying to those men, 'You cannot operate that canning factory any more, it must be operated by Canadians.'

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By Mr. Kyte:

Q. That will be a serious step. Would you recommend that no license be issued to these American firms in future?—A. I would do it—exactly as they do in the States——

Mr. MACLEAN.—I would not give it to them on any account.

By Mr. Kyte:

Q. It will interfere very seriously with the business operations there?—A. They do not allow us to go over there and pack.

The CHAIRMAN.—That would mean confiscation pure and simple.

Mr. KYTE.—I think so, too.

Mr. CHISHOLM (Inverness).—I think it would be an imprudent thing to turn these people out. It would amount to this, that you would absolutely turn them out if you refuse them a license.

Mr. CROSBY.—You have men in Nova Scotia now who do not get canning licenses, who have been canning for years.

Mr. CHISHOLM.—That is quite true.

Mr. CROSBY.—Well, what would you do about it?

Mr. CHISHOLM.—Well, I would at least give them a year's notice that they would not get another license.

By Mr. Maclean:

Q. The investment in these canneries is very small, comparatively speaking?—A. That is the real point. The lobster cannery is not like a salmon cannery in British Columbia with \$50,000 to \$70,000 invested; it is a small affair, and to a firm like the Portland Packing Company even loss of canneries would not be ruinous to them. They would still be able to buy lobsters from Canadian canners and carry on their business in Portland.

The next question is that of 'Hatcheries.' Hatcheries are an aid, not a substitute for close seasons. Ninety-eight per cent of the eggs placed in the hatchery jars hatch out, but in the sea many enemies, eels, skulpins, &c., attack the female lobster and devour the spawn hanging from her body. Of the 500 millions of lobsters Canada plants annually a percentage cannot fail to survive in their natural surroundings where they are liberated. All cannot be devoured, but many must survive and reach the adult full-grown stages—some say 100,000 or 200,000 annually. Nature hatches on a vastly greater scale, as 70 or 80 millions of lobsters form probably the annual catch on our shores, and the canneries alone destroy it is estimated enough female lobsters to produce 150,000 millions of fry annually, allowing not more than 10,000 eggs to each. To make up that loss due to the canning of female lobsters over 1,000 large hatcheries would be necessary. Operate hatcheries but protect the breeding females and continue nature's recuperative methods, on that vast scale which is alone adequate to preserve the balance of life in the sea. The admirable rearing method devised by Prof. A. D. Mead, Brown University, is admittedly successful, the fry being reared and fed until 3 to 5 inches long, but a few thousands or even millions thus reared cannot keep up a supply sufficient to compensate for man's destruction. Hence a close season seems to me absolutely essential with hatcheries as an aid.

By Mr. Kyte:

Q. How many hatcheries are there in Nova Scotia?—A. There are really only two, Canso and Pictou.

By Mr. Maclean:

Q. And on Prince Edward Island?—A. Yes, one in Prince Edward Island and two in New Brunswick.

By Mr. Kyte:

Q. Has the department been looking into the question of increasing the number of hatcheries in the maritime provinces in the near future?—A. That is a part of Mr. Brodeur's scheme to improve the lobster industry.

By Mr. Daniel:

Q. There is a hatchery in Charlotte county, is there not?—A. No, there are some buildings there recently erected, and which may be used for testing Dr. Mead's methods.

Q. It is not in operation now?—A. No, it was only built last year.

By Mr. Kyte:

Q. Can you tell me where the Nova Scotia hatcheries are?—A. At Cariboo Harbour, near Pictou and Canso.

By Hon. Mr. Brodeur:

Q. And Baker's pound?—A. Now, I come to the lobster pound question. You will notice, gentlemen, that I distinguish between 'pounds' and 'pounds.' Lobster ponds for breeding have been urged, the intention being to place berried females in still in-shore tidal pools or inclosures until the young fry hatch out, and then feed the fry or let them be carried by the tide out to sea. This cannot succeed because the conditions are fatal. The food, temperature, light, currents, &c., are not those of the surface of the sea. Those that did not soon die, those more robust, would attack and devour the others, crowded together in the proposed ponds, as no fry are greater cannibals than lobsters newly hatched. Enemies abound in tidal pools such as mysis, the rock shrimp, sculpins, perch, cunners and shorefish.

With pounds it is different. In the Baker pound 50,000 berried lobsters, bought from the fishermen in the open season are fed for some weeks and liberated when fishing stops and the close season begins. Few die in the pound and the replacing of 50,000 breeding lobsters along the shore three or more miles off must be a substantial benefit. The cost is excessive (16½ cents per lobster) as a hatchery can plant the same quantity of fry at one-third the cost. Further, in fairness to other localities at least twenty pounds would be necessary at a cost of nearly \$200,000, and an initial cost of \$60,000 to \$100,000 for building them.

The protection of the breeding lobster by requiring them to be returned to the sea (the help of the canneries to be enlisted), is the only reliable and adequate means of maintaining the lobster supply. All other methods are too limited or too costly, but hatcheries as operated by the Dominion government are a great aid there can be no doubt. Those are my views on the several points referred to.

By Mr. Maclean (Lunenburg):

Q. It has been suggested to me that we do not get adequate results from our lobster hatcheries because the fry are destroyed. It has been suggested to me by Mr. Wilson that in Norway or Sweden the spawn is deposited in protected waters and that our lobster spawn should be taken to some depth of water where all the other fish had been destroyed by some explosive substance so that the lobster spawn would be there alone and would be allowed to develop. What do you think of that?—A. I think, Mr. Maclean, you refer to Captain Dannevig's, or the Norwegian, system of hatching lobsters by floating incubators. That was tried in Newfoundland and has been abandoned by the Newfoundland government as not yielding adequate results. They are now adopting the Canadian method of building hatcheries and hatching the eggs in jars and then liberating the fry in the open sea.

By Mr. Crosby:

Q. Could you not keep the lobster spawn in some expanse of water, such as Bedford basin for instance? Would that not be a good thing?—A. As a matter of fact

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the eggs die unless they can be aerated. The female lobster has them attached to her swimmerets and there is a circulation of water passing through them because they are kept in movement. In our Canadian hatcheries the eggs are put in jars and kept in continual movement and aerated in that way. If they are simply placed in inclosures the eggs do not get that æration.

By Mr. Maclean (Lunenburg):

Q. This is fry?—A. Dr. Mead's method has been the most successful of rearing them in inclosures, as I described the other day, with paddles revolving round and keeping the young lobsters moving. The young lobsters must be kept in movement or they die. More than that they are very cannibalistic and if you put some millions in an inclosure crowded together they devour each other.

Q. There is no place so situated as Bedford basin. It is a great expanse of water above the Narrows. Would that not be a good place?—A. No. From a scientific standpoint the conditions there are not the conditions of the open sea.

Q. It is practically the open sea?—A. The life on which the young lobsters feed is not present there. If you took a naturalist's tow net, and dragged it along the surface of Bedford basin you would not get the bountiful minute life that you get out in the open sea.

Q. There is a great bottom there?—A. It is inshore but the inshore life is different from the open sea life and it is there that the small lobsters get their natural food. The only method of retaining them in inshore ponds has been by trying to feed them with chopped up food and scattering it in the water. It is not very easy, I am afraid, if you are not a naturalist, Mr. Crosby, to understand that in certain areas you cannot have the same life as in other areas under different conditions. The conditions may appear to be similar but the pelagic life of the open sea is entirely different from anything you could have in any harbours or basins.

By the Chairman:

Q. What do you say to the American plan of buying a berried lobster and releasing him, then when he is caught buying him again and again releasing him?

Mr. MACLEAN (Lunenburg)—That is the Baker system.

Q. Not the Baker system of putting him in a pond but letting him go in the open sea and taking his chance of being caught or not?—A. My only objection to all such systems is they are really too expensive. The proper way is to find the greatest results with the minimum of expense. I contend that with the hatcheries turning out, as they do, 500,000,000 of lobsters every year all these are not going to be eaten up by any means; it is a natural law that out of such a large number of lobster fry a proportion must survive, and as I stated at the last sitting of the committee if only two in a thousand of the fry survive that would keep up the present supply of lobsters. That estimate is based on a very careful inquiry and investigation by an American expert whose word I think can be relied upon.

By Mr. Jameson:

Q. Do you recommend the hatchery system over the system of the Baker Pound, for instance?—A. I really approve of both, but, as I have already stated, the Baker Pound to be universally adopted would be a very costly thing. I think in fairness to all localities that that system should be universally adopted if adopted at all. The Baker Pound has been an experiment and I think there is every reason to believe has been a successful one. Fifty thousand berried lobsters replaced in the sea must mean something over quite a considerable length of shore.

Q. How are the lobsters taken for the Baker Pound? Are they taken by the fishermen and sold to Mr. Baker, or caught by the fishermen and paid for by the department?—A. I do not want in any way to avoid a question of that kind, but we have a detailed report already handed in on the method adopted.

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Q. Simply say yes or no in regard to the nature of it?—A. If we go into details about that it will involve——

By Mr. Maclean (Lunenburg):

Q. I want to ask a question that I should have asked some time ago as to the number of licenses. I will put it now. In your judgment are there too many canning licenses granted in some parts of the maritime provinces to-day?—A. My point is that the number of canneries on the coast is really too many and that the drain to supply 700 or 800 lobster-packing establishments is really too great and that a reduction in the number of canneries would be beneficial.

By Mr. Crosby:

Q. As a matter of fact that is your idea: to regulate the lobster fishery by dealing with the canning factories?—A. That is my idea.

By Mr. Maclean (Lunenburg):

Q. Have you finished the questions dealt with in your memorandum?—A. Yes, these are all the points.

Witness retired.

Mr. MACLEAN (Lunenburg).—It is just 10 minutes to 1, and as we have made no provision for the printing of the evidence, I would move that the evidence be printed from day to day.

Motion agreed to.

Mr. MACLEAN (Lunenburg).—Mr. McKenzie, a member of the committee, handed me a telegram from Mr. H. E. Baker, stating that he will be here on the 16th. If we could get Dr. Field to come here and give evidence I think it would be very interesting.

Hon. Mr. BRODEUR.—It would be very interesting for him to give the American experience on the question of lobsters. I do not know that he could give us a great deal of information. We have seen from the evidence of Prof. Prince this morning that the situation in regard to the lobster fisheries is not the same in the United States as it is with us here. With us the question relates to the canning of lobsters, and he will not be able to throw much light upon that because they do not can lobsters over there.

Mr. CURRIE (North Simcoe).—There is a report of the Dominion Fisheries Commission, Georgian bay and adjacent waters, which contains some valuable information on matters pertaining to the fisheries. I might say that the inland fisheries on the Great Lakes involve an annual income of over \$2,000,000, and I would like to have this report submitted and taken up by this committee, which could obtain any further information that is possible about it. It is in the sessional papers, No. 124,229 A, 1908, and I would move that it be referred to this committee.

The CHAIRMAN.—Is that an official report?—A. Yes, it refers to the whitefish and the method of propagation.

Hon. Mr. BRODEUR.—That is a question which has been investigated fully, and this committee is for the purpose of investigating, at present, matters relating to the lobster fishery. Of course, there was a commission appointed some years ago with regard to the lobster trade, but it seems that some new regulations will have to be made on that subject. I have no particular objection to the motion except that I would like the committee to do something practical and to dispose of the question which they have before them before taking up another.

Mr. CURRIE.—There is the same diversity of views with reference to the size of mesh of nets to be used in the Georgian Bay fishery, and I think that this committee should take the matter up.

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Hon. Mr. BRODEUR.—Of course there is a divergency of opinion upon that question, but you have the result of the investigation of the commission, and all the evidence which was available upon it. Would it be advisable for us to open up the question and go into the same evidence again?

Mr. CROSBY.—I suppose that is a matter that should come up before this committee.

Hon. Mr. BRODEUR.—All the evidence in that report is available now.

Mr. CURRIE.—It is available, but there is some further evidence that I think is necessary on these matters which this committee might obtain. There is, according to report, a divergency of opinion among the members of the commission and there is a very serious matter as to the regulations of the industry which arises out of the negotiations now proceeding in connection with the framing of the regulations by the International Commission under the recent fisheries treaty. I think it would strengthen the hands of the Dominion government in insisting on the acceptance of their point of view if some fresh evidence could be introduced as I have suggested. I might say it is not my desire to introduce anything controversial at all, but only that which will be for the benefit of the fishing industry as a whole. There is also the question of the propagation of whitefish which has been discussed very much and which has been entirely neglected; up to the present there are no hatcheries for whitefish on this side of the water, and I would like to have this matter discussed by this committee. I might say to the gentlemen coming from Nova Scotia, New Brunswick, Quebec and British Columbia that the province of Ontario has almost as large a fishery as any other province in the Dominion. There is no other province outside of British Columbia but receives a large subsidy to assist its fisheries.

The CHAIRMAN.—It was our own money we received.

Mr. CURRIE.—You get subsidies just the same. I do not wish to say, speaking as a representative of Ontario, that we object to that, but I think that in view of the fact that for many years we have acquiesced in those subsidies that the representatives of the other provinces should be willing to do everything possible to assist our fisheries, when we are not asking any aid, and when the industry involves a matter of some \$2,000,000 a year, and furnishes employment to 5,000 men, I think it is only fair for you to reciprocate and give us a fair show. I would like to have this report brought before this committee. The consideration of the matter would not take very long, there would not be very much evidence to take beyond that of Mr. Birnie, Mr. Noble, Killarney, and one or two others.

Hon. Mr. BRODEUR.—You do not intend to bring further evidence before this committee?

Mr. CURRIE.—Yes, the fisheries of Lake Erie and Lake Superior have not been touched, or Lake Ontario. As this, to my mind, is one of the most important committees that the House has appointed, I think we should go over the different points I have referred to and procure evidence on those points which the commission has not dealt with fully.

Hon. Mr. BRODEUR.—There is no objection to that, I thought that the motion referring the report to this committee would mean that we should go over all the evidence which has already been given before the commission. That evidence is available and I do not think it would be advisable to reopen that inquiry and get all the witnesses here to give us their views as they have already given them to the commission. But if it is only for the purpose of examining Professor Prince and one or two other officials with reference to their report, I would suggest that they are always available.

Mr. MACLEAN.—Before the committee arrives at a decision upon this question, I would like to say that it seems to me Mr. Currie's request is certainly a very fair one and that it should be granted. There can be no possible reason for refusing it. At our last meeting I expressed a fear that possibly the effect of the committee at the first few meetings dealing with the lobster fishery only, other members of the committee might feel that as that is purely a maritime province matter we were a bit

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selfish. Personally I would like to dispel that idea, and I am quite willing to admit that the fisheries of Ontario demand as much attention as the fisheries of any other part of the Dominion. I do not, however, approve of Mr. Currie's intention of taking up matters generally in connection with the Ontario fisheries, because that means sloppy work. If we deal with generalities we can plod along for two hours daily and still not arrive at any practical results. I hope Mr. Currie will agree with me when I say that having taken up any line of inquiry we should finish it and put ourselves in a position to give, if possible, to the government and to the country conclusions that are worth something. My suggestion to Mr. Currie is that we cannot do very much this session apparently, that he will permit us to finish the lobster question, as that has been taken up and partly dealt with.

MR. CURRIE.—I am certainly of the same idea that we should do something practical, and when I speak of dealing with the Ontario fisheries generally, the idea is that we should only take up the vital topics this session. I believe in dealing with questions, such as the lobster question, thoroughly. There can be no more important subject to deal with than the lobster question, because they have destroyed the lobster industry in the United States, and it is essential that the lobster industry should be protected and everything possible done for it as far as the maritime provinces are concerned. But the whitefish industry in the Great Lakes is virtually in the same position with regard to the Ontario fisheries as the lobster fishery is with regard to the maritime provinces, and that is why we want to take it up.

HON. MR. BRODEUR.—I do not think, if that is all you desire to take up, that it will take very long; it may probably be disposed of in one sitting, if you will mention to Professor Prince the points on which you would like him to prepare himself, that will shorten the proceedings very much.

MR. TAYLOR (New Westminster).—There are some matters in connection with the British Columbia fisheries that I believe it is essential this Committee should discuss at an early date, and for that purpose I move that this Committee request that the report of the British Columbia Fisheries Commission and the appointment of the International Fisheries Commission be referred to this Committee.

MR. MACLEAN.—What do you mean by the 'International Fisheries Commission'?

MR. TAYLOR.—The International Fisheries Commission is engaged in making regulations which will apply to British Columbia, and it is very important that we should discuss those regulations before they are agreed to by the Commission if we are to effectively discuss them.

HON. MR. BRODEUR.—I am afraid that so far as those regulations are concerned, they are a matter of confidential negotiations between the American and the Canadian authorities.

MR. TAYLOR.—We need not discuss them, but we can discuss questions regarding those matters which are to be regulated, without pretending to bring forward those regulations.

HON. MR. BRODEUR.—I am very much afraid we will not have time to do that, Mr. Taylor. Therefore, I would advise that any members who have representations to make should go and meet Professor Prince and discuss the matter with him. The Commissioner of Fisheries will soon have to leave for the West and no time should be lost in doing that. We are at present engaged in this Committee upon the question of the lobster trade, which will take some days. It will be followed by the consideration of the oyster question which will also take some time. Next we are to take up Mr. Currie's suggestion. Therefore, I would advise honourable members having any views to express upon the question of the international fishery regulations, to be good enough to lay them before Professor Prince. To bring the matter up here would occupy too much time and Professor Prince must leave very shortly for the West. His intention is to interview the British Columbia Government and the officers there and to consult them as to their views on the question of regulations. To bring the subject before the Committee would take too much time and these regulations have to be made within a certain period. You are aware of that?

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Mr. TAYLOR (New Westminster).—Yes, sir.

Hon. Mr. BRODEUR.—And the time is passing very rapidly.

Mr. TAYLOR (New Westminster).—Before we leave the subject I would like to say this: The fact that the regulations have to be framed so quickly makes me very desirous of discussing them in this Committee. To my mind one of the purposes of this Committee is to assist in advising Parliament as to the nature of these regulations. It is important that we should not permit international regulations to be made which will tie us up for a period of years without the closest consideration. Especially is this the case in so important a matter as the British Columbia fisheries. These fisheries are more important even than those of Nova Scotia. They stand at the head of the list of the fisheries of Canada, and to permit regulations concerning them to be disposed of without the most careful consideration at the instance of our friends across the international boundary line, would be to show ourselves derelict in our duty. I have no lack of confidence in Professor Prince. He is the best friend the fishermen of British Columbia have had, but he will be only one out of the International Commissioners and may not be the ruling power.

Hon. Mr. BRODEUR.—If Professor Prince does not agree, the regulations will not be passed. There are only two commissioners, one for the United States and one for Canada.

Mr. TAYLOR (New Westminster).—I would like to say that I would be considered derelict in my duty to my constituents if I did not have these regulations seriously considered somewhere and I think it is better to consider them here than in the House. They have got to be considered here somewhere this session before any action is taken.

Mr. CURRIE (Simcoe).—Whenever any international question arises in the United States they say at Washington they cannot get it through the Senate.

Hon. Mr. BRODEUR.—Because it is their constitution.

Mr. CURRIE (Simcoe).—Do you not think that if the Minister of Marine and Fisheries would say 'Gentlemen, our Marine and Fisheries Committee and House of Commons have got to consider these regulations' it would mean a great deal more when the Canadian representative is making a fight. I for one have no desire to make this a controversial matter. We all desire to look out for Canada and Canadian fisheries, but possibly it may do a good deal to strengthen the hands of our commissioner if we place ourselves on record in this matter.

Hon. Mr. BRODEUR.—In answer to Mr. Taylor I would again advise him to confer with Professor Prince and discuss what he has in view. Our Commissioner of Fisheries is taking a particular interest in the fisheries of British Columbia and the honourable gentleman would be welcome to come and express his views on the different questions which may be brought up under the treaty. But to raise the questions here we certainly have no time to discuss it.

Mr. TAYLOR (New Westminster).—Is not this committee appointed for the consideration of the British Columbia fisheries as much as other fisheries?

Mr. MACLEAN (Lunenburg).—This is not a treaty, Mr. Minister, it is merely a regulation.

Hon. Mr. BRODEUR.—There are regulations to be made under treaty.

Mr. MACLEAN (Lunenburg).—Under treaty but these regulations will not go into the Executive Council of the United States there to be discussed with closed doors, I do not apprehend that.

Mr. CURRIE (Simcoe).—Why they have published the first draft of the regulations and they have sent copies broadcast all over the United States. I received a copy of the American first draft and of the revision. In Canada we are making it too much a matter of secrecy. I think we had better have the regulations fought out here as well as over there. They are fighting out on the other side as far as their fishermen are concerned. They have sent copies of the proposed regulations throughout the country from the Pacific coast to Maine. We have no copies of what we propose. If our friends on the other side of the boundary line are fighting in the open I think we ought to fight in the open too.

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Hon. Mr. BRODEUR.—I do not agree with that. When negotiations are being carried on with foreign governments they should not be discussed first by parliament, I mean the questions themselves which are being made the subject of negotiations. Those questions might come up before parliament later on. In the meantime we are very willing and anxious to get the opinions of persons who wish to lay them before the government.

Mr. MACLEAN (Lunenburg).—But Mr. Currie says that in the United States they are discussing these regulations.

Hon. Mr. BRODEUR.—Oh, no.

Mr. MACLEAN (Lunenburg).—This is not a treaty, we are not talking of a treaty but of regulations.

Hon. Mr. BRODEUR.—The regulations are made under the treaty.

Mr. MACLEAN (Lunenburg).—But the treaty is passed. These regulations are made by a previous treaty.

Hon. Mr. BRODEUR.—Yes, by a previous treaty. They are being made the subject of negotiations between the United States and the Canadian Commissioners. I do not know how a draft of regulations prepared by the American Commissioner has gone abroad.

Mr. MACLEAN (Lunenburg).—To elicit views, I suppose?

Mr. CURRIE (Simcoe).—To elicit views from their fishermen.

Hon. Mr. BRODEUR.—Some secrecy has been violated, I do not know how it has been done. All that we have done ourselves has been to get confidential information upon questions of regulations.

Mr. MACLEAN (Lunenburg).—Not confidential, Mr. Minister.

Hon. Mr. BRODEUR.—It is not our intention to submit our regulations to the country when they are the subject of negotiations.

Mr. MACLEAN (Lunenburg).—Why should these regulations be confidential? Why should not your officers give all the information possible?

Hon. Mr. BRODEUR.—For this simple reason: negotiations carried on between Canada and another country must be secret for the present.

Mr. MACLEAN (Lunenburg).—I do not agree with that. When the negotiations for a treaty were in progress they were secret. That treaty has been passed and by its provisions our government appoints a man to help in the framing of international regulations. Now, the United States, I gather from Mr. Currie's statement, are eliciting views on the subject of their proposed regulations from their fishermen.

Prof. PRINCE.—Have you seen a copy, Mr. Maclean?

Mr. MACLEAN (Lunenburg).—I am just taking Mr. Currie's statement.

Prof. PRINCE.—Any copy I have seen is marked confidential. Those are the only documents existing.

Mr. TAYLOR (New Westminster).—I must press my resolution for the reference of this matter to this committee because I would certainly get into serious trouble if I spared any effort to have this matter discussed before it becomes effective. I propose to have it discussed and I think this committee is the proper place to discuss it. We can discuss the subject here with less harm to international and other interests than we can on the floor of the House. It is a matter of too great importance to the fishing interests of British Columbia to be allowed to pass without the fullest consideration. I therefore move my resolution, seconded by Mr. Middlebro.

Mr. MACLEAN (Lunenburg).—If the matters referred to are confidential, I am wrong in the view I expressed.

Hon. Mr. BRODEUR.—Certainly the negotiations which are carried out between the British Ambassador and the United States authorities are absolutely confidential. It will be the first time that I have ever seen such negotiations publicly discussed. There is no objection to receiving information respecting Canadian interests but it would be a different thing to discuss these proposed regulations before a Committee of the House or the House itself: the government would be held responsible for that.

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Mr. MACLEAN.—(Lunenburg).—Supposing I was in error in my previous statement I do not think it is fair to entrust to any one man in Canada the power of entering into a compact to establish official regulations. I do not think it is fair to the department to simply say that you are glad to listen to anybody. I think the department should go out and hear what people have got to say before Prof. Prince is empowered to enter into regulations.

Mr. MIDDLEBRO.—I have been trying for some time to get an opportunity to second the resolution of Mr. Taylor. As I understand this matter of the International Treaty the whole value of the treaty is really in the regulations. The treaty itself is not very material; the whole substance of the treaty is in the regulations. The treaty itself simply says to what waterways it shall apply. While we have every confidence in Professor Prince, it is a question whether practically the whole treaty should be left to one man. I have had a great many letters from fishermen in my county asking me what is going to be done with the regulations. They say, 'We want to know what our representative will do, what position they are taking with regard to the proposed regulations; apparently we will have no part in discussing them.' For myself I do not want to wait until the regulations have been passed and then be told that the matters have really been adjudicated upon and that there is no use in our discussing it. I have been wondering all along when the time would come that we will have an opportunity of discussing those regulations, and I think this is a good opportunity. Now, so far as the confidential aspect of the case is concerned, it is true that the copies of the proposed regulations I have seen have been marked 'Confidential.' But at the same time I am told by people in my district that the proposed American regulations were sent out last fall, and there is no doubt they have been fully discussed, and if those engaged in the industry in the United States have had an opportunity to discuss them and to come to a conclusion upon them I think we in Canada should have a similar opportunity of discussing the regulations by which we are to be governed. We might leave this matter to a small committee who will assist Professor Prince in coming to a conclusion as to what the regulations ought to be. I for one would say this, that if the proposed regulations are not in accord with what we on the Canadian side think are proper regulations,—the whole treaty consists of regulations, and as we know the enforcement of the regulations on the American side has been much more loose than it has been on our side, because they have no close season—if the regulations on the American side do not come somewhere near in effectiveness to those on our side I would say, have the treaty itself made null and void by not agreeing to the regulations.

Mr. CURRIE.—I do not want to continue the discussion of this matter except to endorse the remarks of the last speaker, but as a matter of fact these regulations have been announced.

Hon. Mr. BRODEUR.—But these regulations cannot have any force unless some legislation is passed by this parliament.

Mr. CURRIE.—Have these regulations to be passed by this parliament?

Hon. Mr. BRODEUR.—Any enforcement of these regulations can only be by legislation passed here. If the government makes bad regulations they are responsible.

Mr. CURRIE.—The matter I wish to bring out is this, that there are matters of importance to the Ontario fisheries involved in the regulations to be adopted under this treaty. These matters could be formerly discussed in this committee without any reference at all to negotiations that are pending between Professor Prince and the representative of the United States, but we could have evidence given here on certain points at issue and with that evidence and an expression of the opinion of this committee in his hands our commissioner would be much stronger than without it.

Mr. MACLEAN (Lunenburg).—As it has been explained to me, I understand that Professor Prince and the American commissioner have already gone through Canada and the United States taking evidence.

Hon. Mr. BRODEUR.—No, Mr. Bastedo.

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Mr. CURRIE.—Our position is this, that the views of no one man alone on our side should be final. The American commissioner, who is a very strong man, is getting—you may call it 'private and confidential' if you like, but he is getting the views of the fishing interests of the United States from one end of the boundary line to the other, in order that he may be armed at all points to fight his case. I claim that the government of this country, in justice to the fishermen of Canada, should take the same methods, through this committee, to arm our commissioner with similar means of protecting our interests. It is only fair to Professor Prince that it should be done. It does not matter what his views are, he is only one man, but if he has behind him the testimony and the views of many people engaged in the industry in this country I think he will be in a much stronger position. We should back him up with strong evidence to enable him to take strong grounds on the matter of these regulations. The proposed American regulations as published are simply ruinous to the Canadian fishing industry on the Great Lakes and I think the commissioner should be placed in the position of knowing that he has not only the fishermen behind him, but that both sides of the House will support him. We do not wish to entangle him in any way but simply to let him know that his views will be supported.

Professor PRINCE.—Just one point. There is absolutely no final set of international regulations to discuss. A great deal of thought has been wasted and a lot of excitement has been unnecessarily aroused by the publication of sets of regulations which as Canadian commissioner, I never thought of adopting or seriously considering. The American commissioner, I believe, has had three different sets of regulations prepared, but which of those sets he wished to stand by, I do not know, so that we cannot object to what really awaits discussion by the commission.

Mr. TAYLOR.—My motion was that the British Columbia Fisheries Commission and the report of the appointment of the International Commission be referred to this committee because incidental to the International Treaty are regulations which cover the whole question of British Columbia fisheries.

Hon. Mr. BRODEUR.—No, the British Columbia regulations cover the Fraser and Skeena rivers, which do not come at all within the limits of this commission.

Mr. TAYLOR.—The proposition of the commission is to make certain international regulations, part of which is an undertaking that similar regulations will be applied in contiguous waters of Canadian territory so that they do take the entire control of our waters.

Hon. Mr. BRODEUR.—No, the Americans do not take control of our waters. There is a very great misunderstanding with regard to these regulations. Perhaps I am responsible and must take the responsibility for the fact that a treaty has been made by which regulations are to be passed. The treaty has been negotiated by the American and the British authorities with the consent of the Canadian government. That treaty provides that some regulations have to be made by the Canadian commissioner and the American commissioner, but those regulations in order to be of any force will have to be passed by the American congress and by the Canadian parliament.

Mr. TAYLOR.—And they apply to this very year, 1909.

Hon. Mr. BRODEUR.—I am speaking of the treaty, you are speaking of the regulations.

Mr. CURRIE.—The treaty is ancient history.

Hon. Mr. BRODEUR.—No, it is not ancient history. I want to explain with reference to the regulations under the treaty. The regulations are now being made the subject of negotiation between the American and Canadian commissioners. Now it is proposed, I understand, that this committee should investigate the nature of the regulations which should be submitted by the Canadian Commissioner. I do not think it is customary that during negotiations parliament should dictate how they should be carried on; it would be a matter for which the government would be responsible.

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Mr. CURRIE (Simcoe).—It is a matter of evidence.

Hon. Mr. BRODEUR.—Taking British Columbia regulations, we had a Commission sitting two years for the purpose of collecting evidence and information and drafting regulations. Take the Georgian Bay and the North Channel and Lake Erie fisheries of Ontario, they have been made the subject of investigations. Prof. Prince will have all this information in his hands when he comes to draft these regulations.

Mr. CURRIE (North Simcoe).—Yes, but as to a good many of the proposed regulations no evidence was taken at all. There was no evidence taken as to whether the Great Lakes should be thrown open to the fishermen on both sides of the international boundary line by special regulations.

Prof. PRINCE.—The point just raised by Mr. Currie has shown how much astray all this discussion is.

Mr. CURRIE (North Simcoe).—I understand, Prof. Prince, that you are under oath, and I want to ask you a question.

Prof. PRINCE.—I am telling the truth anyway.

Mr. CURRIE (North Simcoe).—You said here a moment ago that there were no regulations discussed, did you not?

Prof. PRINCE.—I said there were no regulations to discuss, yes.

Mr. CURRIE (North Simcoe).—Now is it not a fact that you had submitted to you copies of the proposed American regulations and you were asked to make amendments to them embodying what you suggested.

Hon. Mr. BRODEUR.—I beg your pardon.

Mr. CURRIE (North Simcoe).—I don't see why the witness should make statements that are not true.

Hon. Mr. BRODEUR.—I don't think it was a proper question to put to Prof. Prince, that is a question relating to negotiations between him and the United States Commissioner.

Mr. CURRIE (North Simcoe).—Exactly, but Prof. Prince makes the statement that no regulations were discussed.

Prof. PRINCE.—No, no, I did not say that.

Mr. CURRIE (North Simcoe).—I say there were and that he has a copy of them.

Prof. PRINCE.—No, I did not say that.

Hon. Mr. BRODEUR.—I appeal to your judgment, is it advisable that we should discuss here the negotiations that are now being carried on between the United States and the Canadian Commissioners, I do not think it is.

Mr. CURRIE (North Simcoe).—I quite agree with the Minister that it is not advisable to discuss these regulations, we will assume that, but why should our Commissioner come here and make the straight, absolute statement that there are no regulations so far and that there has been no discussion.

Prof. PRINCE.—No, I did not say that, Mr. Currie.

The CHAIRMAN.—There are no regulations, until they are made.

Mr. MACLEAN (Lunenburg).—That is a technicality, don't split hairs.

Prof. PRINCE.—Let me clear the matter up by explaining what I meant when I said there were no regulations to discuss: there are three sets of American regulations—

Mr. CROSBY.—Have they all been submitted to you?

Prof. PRINCE.—And we have been discussing those.

Hon. Mr. BRODEUR.—That is how it stands.

Prof. PRINCE.—Really there are no regulations in final form to discuss, because, as a matter of fact, the very regulation to which Mr. Currie referred has never been seriously considered by me as Canadian Commissioner, and would never be agreed to that American fishermen should fish freely in our waters.

Mr. MACLEAN (Lunenburg).—I am going to move that we should adjourn, after saying a few words.

The CHAIRMAN.—Mr. Taylor's motion is before the Committee.

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Mr. TAYLOR (New Westminster).—Nova Scotia has taken up all our time for sessions. I waited for half the last session to make this motion but Mr. Maclean and one or two other gentlemen occupied the whole time. I object to the Committee being railroaded in that way.

Hon. Mr. BRODEUR.—I have no objection to this question being referred, but frankly, if you want the Committee to do some work let us be practical and go on with what we have undertaken. At present we have the lobster question under consideration and we have held two sittings of the Committee. The evidence of one officer of the department has been taken and I do not know whether his evidence is closed or not, perhaps it is. There are three or four other officers ready to give their evidence upon different points that have been raised, which will occupy our sittings during the next three weeks probably. Then I understand the Committee has determined to summon 10 or 15 outside witnesses. The question is a big one and I do not know whether we will have time to deal with it and make a good substantial report to the House before the end of the session. After the lobster question has been finished we are to take up the oyster question.

Mr. TAYLOR (New Westminster).—Why should they come up?

Hon. Mr. BRODEUR.—I am simply referring to the work we have got to do. I fully appreciate the importance of what you are proposing but do not let us undertake to do too much and do nothing. Let us undertake something that we can carry out this session.

Mr. TAYLOR (New Westminster).—The point is that next session will be too late to take up the question of the International Fishery Regulations. It must be done this session if done at all.

Hon. Mr. BRODEUR.—I do not know if we will have time to discuss them. Let me finish and I will explain to you what my views are. We have yet got to deal with the oyster question a subject which has not been investigated for many years. The lobster fisheries were investigated in 1898. Mr. Curry also proposes to investigate the Georgian Bay fisheries. I understand from him that it will only take perhaps a few hours to dispose of. He wishes to call Professor Prince in order to obtain certain information.

Mr. CURRIE (North Simcoe).—I would like to have two witnesses besides Professor Prince and Mr. Birnie.

Hon. Mr. BRODEUR.—Two witnesses upon what point?

Mr. CURRIE (North Simcoe).—Upon the propagation of whitefish, the question of the tonnage and any other matters that arise in connection with the report, for instance such as the Americans owning the channel there, but I hope to conclude in one sitting.

Hon. Mr. BRODEUR.—Yes, and if you open up an international question some other people will want to be examined. You probably have all the evidence you want on that.

Mr. CURRIE (North Simcoe).—The Lake Eries fisheries have not been touched.

Hon. Mr. BRODEUR.—Oh, yes, they have been.

Prof. PRINCE.—An interim report has been handed in which has just been completed.

Hon. Mr. BRODEUR.—I think you will have all that information in the evidence which has been already adduced.

Mr. CURRIE (North Simcoe).—I do not think so.

Hon. Mr. BRODEUR.—Well, if you are asking the committee to do something let us do it in the usual way. If you are going to reopen a question which has been thoroughly investigated during the last two years that will not give us any very great deal of information. Here is a point which Mr. Taylor has brought up in regard to the British Columbia Commission. This commission has sat for two or three years.

Mr. TAYLOR (New Westminster).—And has reported to parliament and we have not dealt with their report.

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Hon. Mr. BRODEUR—Yes, their recommendations have been dealt with.

Mr. TAYLOR (New Westminster)—Parliament has not dealt with them.

Hon. Mr. BRODEUR—Parliament has not itself discussed the question.

Mr. TAYLOR (New Westminster)—They have made a report to us and we have ignored it.

Hon. Mr. BRODEUR—What is it you want to have dealt with by this committee? The investigation is all through, the regulations have been drafted and everything has been done with regard to this commission. Now you are proposing to again refer all this report here.

Mr. TAYLOR (New Westminster)—But you are altering them now. You propose to go down to Washington and alter those very regulations.

Hon. Mr. BRODEUR—Oh, no.

Mr. TAYLOR (New Westminster)—I beg your pardon that is what they are going to do.

Hon. Mr. BRODEUR.—The regulations which have been passed mainly refer to the Fraser river, we cannot alter them. The commission has no power to alter them. The Fraser river is not submitted to the International Commission.

Mr. TAYLOR (New Westminster)—I beg your pardon it is.

Hon. Mr. BRODEUR.—Oh, no, it is not.

Mr. TAYLOR (New Westminster)—If you look it up when you go back to the department you will find that I am right.

Hon. Mr. BRODEUR—Oh, no. The International Commission is not dealing with the Fraser river fisheries, it has no right to.

Mr. MIDDLEBRO.—There was some mention made of it.

Hon. Mr. BRODEUR.—Not in the treaty itself, I am sure of it. I have no objection to the proposition except that we are not doing any practical work. If you want to have a lot of matters referred to this committee without doing anything practical I am afraid we shall lose our time.

Mr. MACLEAN (Lunenburg)—I move in amendment to Mr. Taylor's motion, not to get rid of it, but so that we may take it up at the next meeting, that the committee shall now adjourn.

Mr. CROSBY.—Before the committee adjourns, I want to hand in the name of Mr. C. E. Smith, as a witness to be summoned to give evidence on the lobster question. He is not only a lobster canner but a man who has been fishing. He has had experience in lobster canning and is an expert on fresh lobsters; he can be summoned on whatever day the Chairman fixes.

Mr. TURGEON.—I move that before we commence to take the evidence of strangers we complete the evidence of the officials of this department and therefore that we meet on Monday next.

Hon. Mr. BRODEUR.—I think it a good suggestion that we should complete the evidence of the officers of the department before hearing the witnesses from outside. There seems to be some feeling against the officers of the department that they do not know much about this question, but I think when the committee have heard them from beginning to end they will realize that the officials of the department know a great deal concerning the lobster question. The idea is that Mr. Smith will be notified, as the other witnesses were, of the intention of the committee to call him and that further notification will be sent to him of the date on which he is to appear.

Mr. MACLEAN.—I move that these matters to which Mr. Currie and Mr. Taylor have referred be deferred until the next meeting and that the committee do now adjourn.

Mr. CURRIE.—The Minister, I understand, agrees to the motion for the reference of the Georgian Bay Fishery Commission report. I think the only way to bring this matter prominently before the House is to have this report referred to and discussed by this committee.

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The CHAIRMAN.—We have summoned witnesses for Tuesday the 16th, can we meet again on the 18th, we have several witnesses coming here on Tuesday from a long distance.

Hon. Mr. BRODEUR.—And we will require two days to hear the officers of the department.

The CHAIRMAN.—Is it agreed that we meet on Tuesday the 16th and Thursday the 18th inst.

Carried.

Committee adjourned.

APPENDIX No. 3

COMMITTEE ROOM No. 32,

HOUSE OF COMMONS,

TUESDAY, March 16, 1909.

The Select Standing Committee on Marine and Fisheries met to-day at 11 o'clock, Mr. Sinclair, Chairman, presiding.

Hon. Mr. BRODEUR.—Mr. Baker, of Cape Breton, is present this morning as a witness. We had thought the other day of continuing the examination of the departmental officers, but as Mr. Baker has come from a long distance, I suppose it would be only fair to examine him this morning.

Mr. H. E. BAKER, called, sworn and examined.

By Hon. Mr. Brodeur:

Q. Would you rather make a statement?—A. No, thank you, Mr. Brodeur. I would like to answer any questions that are put to me, and I will give you any information I have on the subject.

By Mr. Maclean (Lunenburg):

Q. Where do you reside?—A. At Sydney, Cape Breton.

Q. How long have you been in the canning business?—A. For 26 years in Cape Breton.

Q. You are still engaged in the business?—A. Yes.

Q. Your experience has altogether been on the coast of Cape Breton island?—A. No, I have had some experience on the mainland of Nova Scotia.

Q. Are the cannery of Nova Scotia satisfied with the lobster fishery regulations?—A. I think, so far as the island of Cape Breton is concerned, the regulations are very satisfactory.

Q. Your season commences when?—A. From Point Michaud east it starts on May 1 and ceases on the last of July—we have three months—and west of Point Michaud it is from April 1 until the last of June

By Mr. Daniel:

Q. What point is that?—A. Point Michaud, in Richmond county.

By Mr. Maclean (Lunenburg):

Q. What is the size limit?—A. Eight inches.

Q. Is the season long enough from your standpoint?—A. Yes.

Q. Would it be undesirable to lengthen it?—A. Very.

Q. Would it be undesirable to open the season much earlier?—A. It would be almost impossible for us to take advantage of an earlier season, inasmuch as the drift ice comes on that coast in the spring and frequently remains there until May 15 and as late as June 7 to 10.

Q. What did you say the size limit is in the Cape Breton district?—A. eight inches.

Q. When do lobsters commence to seed, Mr. Baker? We are told from the time they are $7\frac{1}{2}$ inches in size?—A. You can get lobsters the whole year around with black seed on them.

By Hon. Mr. Brodeur:

Q. What is that, Mr. Baker?—A. You can get lobsters the whole year around, at all times, with black seed on them.

By the Chairman:

Q. Black?—A. A dark kind of seed; they are immature. The young lobster does not mature or develop until the warm weather comes in June, July and August, so that the lobster in Cape Breton hatches about August 1.

By Mr. Maclean (Lunenburg):

Q. Is that productive seed?—A. Yes.

Q. Prof. Prince is authority for the statement that lobsters do not carry berries or seed until after a length of $7\frac{1}{2}$ inches is attained?—A. You will find a lobster under $7\frac{1}{2}$ inches carrying berries.

Q. Very seldom?—A. Yes, it is exceptional.

Q. Is the protection of the seed lobster an essential thing?—A. I consider it a vital point in connection with the lobster industry.

Q. You consider it a vital thing?—A. Yes.

Q. Are lobsters ever taken in these waters under $7\frac{1}{2}$ inches?—A. Yes.

Q. Therefore, that is an undesirable thing?—A. Well, the size limit has never been recognized, it has always been violated in every place that I have been, and I think it applies almost universally to Nova Scotia. I understand that in some sections there have been some attempts made to maintain the size limit, but I do not know with what result.

Q. It is undesirable and damaging, therefore, to capture a seed lobster under $7\frac{1}{2}$ inches?—A. The number of lobsters under $7\frac{1}{2}$ inches carrying seed is so small that you probably would not get one in 100,000 lobsters.

Q. That is a fair proportion, is it?—A. Well, I should judge so. It is very rare; you would not find more than one out of 100,000, I do not believe, under 7 inches or $7\frac{1}{2}$ inches, carrying eggs.

Q. Under that?—A. Yes.

Q. Are female lobsters under $7\frac{1}{2}$ inches often taken by the fishermen?—A. Yes.

Q. Well, that is undesirable, is it not, according to your opinion?—A. Undesirable?

Q. Yes?—A. Well, there has been a law which prohibits the taking of lobsters, male or female, under 8 inches, but that law is universally broken, so far as I know.

Q. Do you say a female lobster does not commence carrying seed until after it is $7\frac{1}{2}$ inches long?—A. Yes.

Q. You also say it is to the interest of the lobster business to protect the seed lobster?—A. Yes.

Q. Therefore, am I not right in saying it is damaging to the lobster industry to destroy female lobsters under $7\frac{1}{2}$ inches?—A. Well, it is really damaging to the lobster industry to destroy anything over $7\frac{1}{2}$ inches, because it takes so much away from the supply.

Q. Well then, if you kill them off under $7\frac{1}{2}$ inches they would never get to 8 or 9 inches would they?—A. No, but it would be impossible to kill them all, they cannot be caught.

Q. You would favour a regulation to protect the female lobster of any size?—A. Not the female lobster but the egg lobster.

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Q. Is there a distinction between the female and the egg lobster?—A. Quite a distinction.

Q. What is it?—A. The egg lobster carries eggs on the outside; the female lobsters probably consist of about 40 or 50 per cent of the entire catch.

Q. I see, and the female lobster is not necessarily:—A. An egg lobster? Oh, no. As a matter of fact about $2\frac{1}{2}$ or 3 per cent—between $2\frac{1}{2}$ and 3 per cent of the entire catch of lobsters consists of egg lobsters, that is lobsters that carry their eggs on the outside; whereas I should judge that between 40 and 50 per cent of lobsters would be female lobsters. The female lobster lays her eggs, or casts them out, at all stages of the year, so far as I can understand, but chiefly in the fall. She carries these eggs attached to little swimmerets, or little hairs in the tail, for eight or nine months, and then when the warm weather comes, those eggs mature and the young lobsters escape just as young chickens do from the shell.

By Hon. Mr. Brodeur:

Q. And what about the other one, the egg lobster?—A. This is the egg lobster I am referring to, Mr. Brodeur.

By Mr. Warburton:

Q. I understood you to say that between $2\frac{1}{2}$ and 3 per cent of the entire catch of lobsters are egg lobsters and that between 40 and 50 per cent are females but not egg lobsters. Do you mean that that 40 or 50 per cent are barren?—A. No, each carries eggs on the inside in the shape of coral.

Q. Then they do bear eggs?—A. Yes, I presume so.

Q. They are not supposed to be barren?—A. No, not at all. All the red roe which one finds in a boiled female lobster are the lobster eggs on the inside.

By Hon. Mr. Brodeur:

Q. Will you please show that in the specimen lobster we have got here?—A. (Pointing to specimen) these berries are the eggs.

Q. Yes?—A. And each of these eggs, if properly taken care of, will produce a young lobster. Now the lobsters that I refer to are between $2\frac{1}{2}$ and 3 per cent of the entire catch. That is the egg lobsters would be the lobsters like this, where the eggs can be seen on the outside. These eggs mature gradually, in fact you can notice here that they have matured to such an extent that you can see the eyes of the young lobsters through the thin film of skin on the eggs. Once they begin to mature, they mature very rapidly.

Q. And do they all carry the eggs in that shape?—A. No, sir, only about 3 per cent of the entire catch carry their eggs in that way.

Q. Three per cent?—A. Yes, 3 per cent.

Q. And the others?—A. The others, the females, have the eggs on the inside that are not hatched out.

By Mr. Maclean (Lunenburg):

Q. It is necessary then to protect the egg lobster is it not?—A. Yes, I consider it is vital to the future of the industry that every egg lobster possible should be protected, that is saved and taken care of.

Q. Up to what size?—A. Up to any size. Any lobster carrying eggs should be protected and saved. The great trouble is that not only in our own country but in Massachusetts and in Maine, and I understand too in Norway, there has been a systematic destruction of the egg carrying lobster so that really the industry has not had anything to sustain it. For instance, there has been a law for the last twenty-

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five or thirty years in Canada making it illegal for people to handle, or catch or destroy seed lobsters but fishermen will go to sea and in the course of a morning will probably have five or ten lobsters which may be egg lobsters. However, times are hard, money is scarce, and although they know it is illegal to catch those lobsters and that any officer on the shore will fine them if he learns of it, nevertheless they take the seed lobster and wash its tail through the water two or three times and thus every one of these eggs is washed off and destroyed.

Q. Will the canners buy them?—A. The canners will buy them because they come in with other lobsters caught under legal conditions, and I do not suppose there is one canner out of twenty knows when a lobster has been washed in that way.

By Hon. Mr. Brodeur:

Q. He could not distinguish then between the berried lobster and the other?—A. When washed it is most difficult to notice the distinction.

By the Chairman:

Q. And is the meat good?—A. Yes, the meat is good.

By Hon. Mr. Brodeur:

Q. Would it be possible to wash out all these eggs without a certain quantity being left?—A. In less than a minute, particularly when the eggs have ripened. It is done by a quick wash through the water. In the United States, I understand, some resort to an ordinary scrubbing brush. They take the brush and rub it over the tail of the lobster in that way (illustrating by a motion of the hand) and wash off the eggs.

Q. Do you think the law is much violated, I mean the regulation providing that berried lobsters when caught should be returned to the water? Is that regulation violated to a large extent?—A. I think it has been almost universally violated in Canada but now, within the last year or two, I understand the fishermen themselves are beginning to recognize the necessity for saving the seed lobster and that in many districts they voluntarily return them to the water. That is to say some of them do, others again who are not so favourable to the observance of the law will continue to wash them off.

Q. Is there any way by which we could prevent this violation? By what you tell me it is done by the fishermen on the shore without the knowledge of anybody else?—A. It is done at sea when there are no officers around, when it is impossible to detect who does it or how it is done.

By Mr. Daniel:

Q. Do those seed berries develop into lobsters?—A. Yes, I understand about 90 per cent of these berries will hatch out into lobsters; in fact I am told they have got as high as 95 per cent, but that I do not know for sure by hatcheries.

Q. Supposing the berries are washed off the lobster by fishermen in the way you describe and dropped into the sea, what is to prevent them from maturing and becoming lobsters?—A. I do not know, unless by reason of the concussion by switching the tail through the water the berries all die, are broken and the embryo destroyed.

By Mr. Maclean (Lunenburg):

Q. They have to come off in the natural order of things in order to live?—A. No, they do not come off in the natural order of things. The young lobster bursts its way through the thin skin and leaves the egg, the broken part of the egg, attached to the mother's tail.

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Q. Then they would have to reach a certain stage in hatching before they would live after having been torn off by the fisherman?—A. I presume so.

By the Chairman:

Q. Mr. Baker, do these female lobsters that you spoke about with the eggs inside all become berried lobsters?—A. I cannot say whether they all do or not but I presume the most of them do.

Q. And what length of time does it take for them to become berried lobsters?—A. For instance the lobster carrying this ova or this roe as we call it will probably hatch it out during the months of July and August—

Q. Each year?—A. July and August and probably later on. I don't think there is any specific time, I am not certain on that point.

By Hon. Mr. Brodeur:

Q. When you speak of July and August you are referring to your own section of country?—A. Yes, sir.

Q. You don't say they are hatching at the same period in the western part of Nova Scotia?—A. No, the period there would differ from ours or rather I presume it would.

By Mr. Maclean (Lunenburg):

Q. Is the size limit in your district satisfactory?—A. Well it has never been observed to any extent and if the size limit were reduced to 7 inches I think—

By Hon. Mr. Brodeur:

Q. To 7 inches?—A. To 7 inches I think possibly there would probably be a stronger effort made on the part of the fisherman to observe it.

Q. Do you not think, Mr. Baker, it would be a most serious thing because by what you have just told us the berried lobsters are generally 8 inches and more in size—do you think that if we allow 7-inch lobsters to be caught it would mean the destruction of the lobsters?—A. Well, all the lobsters that have been taken by the fishermen as a rule have been destroyed, that is to say the size limit has not been observed.

By the Chairman:

Q. Do you think it would be better to abolish it?—A. To abolish the size limit?

Q. Yes?—A. Well—

Q. And save the seed lobster?—A. Yes, I do. I think that—

Q. Allow the fishermen to catch everything they can catch but put on the screws?—A. With the seed lobsters. I consider that the saving of the seed lobster is absolutely essential to the future of the lobster industry, and I consider too that something should be done, some measure should be adopted, that will ensure this thing being carried out. If I might be permitted to make a suggestion: it has occurred to me that instead of taxing the lobster packers 2 cents a case, if they were taxed about 25 cents a case for the license it would give the department probably \$40,000 a year which sum could be devoted to buying seed lobsters from the fishermen and thus make that part of the industry to a certain extent self-sustaining.

Q. And releasing the seed lobsters again?—A. Yes, and releasing them again. For instance if the government were to establish a number of lobster pounds along the coast and each packer pays 25 cents for the lobsters that he packs under license, the department would receive probably \$40,000 a year from that source. This \$40,000 a year would buy a very large number of seed lobsters from the fishermen which lobsters could go into the pounds and be liberated along the coast for the benefit of the future of the lobster fishery.

Q. How would that tax affect the fishermen?—A. How would it affect the fishermen?

Q. Yes?—A. Why the fishermen would probably be getting about 50 per cent more for their seed lobsters than they do when these lobsters are destroyed and sent into the canneries and boiled with the ordinary kinds.

Q. Could the packer not shift the tax onto the fishermen and make him pay it by lessening the price of his catch?—A. Well, I suppose the packer would figure on that as an item in his business just as he now figures on the 2 cents a case.

Q. You think it would not come out of the packer then if we levied this tax of 25 cents a case?—A. No, it would not come out of the packer any more than does the 2 cents a case come out of him now. He pays it now, it is true, but he figures on that as one of the fixed expenses of his business.

By Hon. Mr. Brodeur:

Q. It is a small item?—A. Yes, sir.

By the Chairman:

Q. What is the value of a case of lobsters in the market at the present time?—A. About \$3 less a case than last year, I understand.

Q. And what is the price of a case of lobsters?—A. The highest point? Half flats—there are different shapes you know—are worth about \$12 a case in Halifax now, f.o.b. Halifax. One pound flats are probably about \$11.50. I know that they are being offered in the United States at \$1.85 a dozen for half-flats.

By Hon. Mr. Brodeur:

Q. Well now, Mr. Baker, coming to the relative merits of lobster pounds and lobster hatcheries for propagation, would you be kind enough to give to the Committee your views as to these which is best, the lobster pounds or hatcheries, and if the former in what condition lobster pounds should be maintained, or whether it would be better to have lobster hatcheries?—A. My own opinion is that the lobster pound is by far the better method inasmuch as the female lobster with eggs attached is inclosed in natural environment. At the end of the season she is liberated with those eggs attached to hatch those eggs in a natural way. There is no sudden change of temperature. I understand the temperature is a very vital thing, a very important factor in the existence of a young lobster. I also understand that when a great many millions of young lobsters are taken from the artificial hatcheries—

Q. Where does the female lobster go to hatch her eggs?—A. The female lobster goes into the shore to get the warm temperature to develop her eggs and then I understand she goes into the deep water to hatch them.

Q. To the deep water?—A. Yes, to the deep water I understand.

Q. So you think a lobster pound is better than a lobster hatchery?—A. I feel sure of it.

By Mr. Maclean (Lunenburg):

Q. You don't seem to say that a lobster hatchery is not any good?—A. No, I certainly do not.

Q. You think it would be well to have both?—A. Yes, but I think the natural method is far beyond the artificial method.

Q. At what size can you distinguish the seed lobster from the other lobster? At five or 6 inches is it hard to tell whether a lobster is an egg lobster or a female?—A. I have never seen females with eggs at 5 or 6 inches.

Q. Supposing a female lobster is 6 inches long and no eggs are visible, is it difficult to tell that it is a female lobster?—A. No, you can distinguish the sex at a glance.

Q. You can?—A. Yes.

Q. Can fishermen generally?—A. Yes, without any difficulty.

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Q. If you reduce the size to 7 inches would you not be encouraging the destruction of the female lobster before it reaches the age where it is easily distinguishable as a berried lobster?—A. They are destroyed now almost about that size, some about 4 inches in size I understand in some places.

Q Well, what do you say about that, do you think it is a good thing?—A. No, it is not a good thing if one can prevent it. The size limit has been universally disregarded not only in this country but even in the United States where they have been trying to maintain a 10½-inch limit, particularly in Maine. The fishermen find a way of getting a market for their short lobsters.

By the Chairman:

Q. What do you think of the American system of saving the large lobsters and catching the smaller ones?—A. That is the idea of Dr. Field, the Chairman of the Massachusetts Commission of Fisheries. His idea is to save all lobsters over 10 inches, I think it is, or 10½ inches, and to catch the remaining sizes from 9 inches to 10½. That if adopted on our Nova Scotia coast would practically close our canneries because at least 60 per cent of our catches now are under 9 inches.

By Mr. Maclean (Lunenburg):

Q. What proportion of your present catch is under 7 inches?—A. About 25 or 30 per cent.

Q. If the law was observed you would be out of the lobster business?—A. Yes, I don't think that any lobster cannery in the island of Cape Breton could continue packing lobsters and observe the law regarding size limit.

By Hon. Mr. Brodeur:

Q. That is because there are not enough lobsters I suppose?—A. That is it, Mr. Brodeur.

By Mr. Maclean (Lunenburg):

Q. Do you favour the violation of the law in order to carry on the cannery business?—A. No, but I maintain that inasmuch as the law in regard to short lobsters, undersized lobsters, has never been observed, inasmuch as it is generally conceded that to enforce the law would wipe out of existence a very valuable industry, I do think that a compromise should be made that will enable the fishermen to get the small lobsters providing some arrangements were adopted for the saving of the mother lobster which I maintain is vital for the well being of the industry.

By Mr. Warburton:

Q. Then you would do away with the size limit altogether?—A. It is practically done away with now, sir.

Q. I mean you would do away with the regulation?—A. Yes.

By Mr. Maclean (Lunenburg):

Q. You realize that it would be difficult to enforce the regulation protecting the mother lobster if you abolish the size limit?—A. It would be a very popular thing inasmuch as the fishermen instead of having to take that seed lobster and wash its eggs off, would be paid a premium of about 50 per cent for keeping it in good condition.

Q. That means you would have to pay men to observe the law?—A. Yes.

Q. Do you think that is good business to do a thing like that, on principle?—A. It is done in everything is it not?

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Q. To pay a man to refrain from violating the law and let him profit by the violation?—A. No, but it is frequently necessary to expend a large amount of money in order to compel a law to be observed. In this case it is absolutely impossible to compel the law to be observed but if an inducement were given in the shape of buying these seed lobsters such as is done in the United States, the seed lobsters would be saved. They have adopted that practice all over the United States now: the government buy the seed lobsters and pay a good price for them and get them for hatching purposes.

Q. The government does?—A. Yes, sir.

By the Chairman:

Q. Do they release the good lobsters afterwards?—A. They hatch large quantities of eggs artificially and then they take the young lobster and put it in a large canvas bag, or large quantities of them into water kept in perpetual motion and develop them to the third or fourth stages and then when they are able to take care of themselves they let them go. These are experiments that have been conducted in the last two or three years.

Q. How would it do to buy the berried lobster and then take him two or three miles to sea and drop him in again and have no pounds?—A. Well, that would be a very good thing with the exception that the chances are—the natural tendency of the seed lobster is to work towards the shore to get the warm temperature, and the chances are those lobsters would be caught over again many times during the season.

By Mr. Warburton:

Q. Is the canvas bag arrangement you spoke of in general practice or is it simply an experiment?—A. It is an experiment which has been made in Connecticut.

Q. It has not passed the experimental stage yet?—A. They have succeeded I understand in hatching and developing several millions.

By Mr. Daniel:

Q. Mr. Baker, you said there was practically no attempt to obey the law with regard to the size limit?—A. Not in our part of the country I don't think there has been. We have tried it once or twice and we have found it unpopular and I don't think—

Q. How did you try it, in what way, what efforts were made?—A. We have simply said we would not take lobsters under eight inches.

Q. The cannery would not?—A. And we carried it out once or twice, but we found that those who do attempt to carry it out are simply thwarted by those who will not. As a matter of fact the law is universally unpopular with fishermen and with packers.

Q. How was the law carried out, what does the department do to carry out the law, anything?—A. I beg your pardon?

Q. What does the Department of Marine and Fisheries do to carry out the law?—A. The Department of Marine and Fisheries is putting forth every effort to preserve the supply. They have their officers—

Q. What officers are there in your district?—A. We have an official inspector and a local officer in each district.

Q. Do these officers visit your cannery?—A. Yes.

Q. How often?—A. Well, they come irregularly.

Q. Irregularly. Do they ever find short lobsters in your cannery?—A. Yes, they have found short lobsters in my cannery because I have been fined more than once for having them.

Q. More than once?—A. Yes.

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Q. As a matter of fact would there not always be short lobsters in your cannery when these officers come around?—A. No, not always.

Q. Not always?—A. No.

Q. Do these officers visit all the canneries?—A. Yes.

Q. Do they ever report any one for having short lobsters?—A. Frequently.

Q. Are the men reported punished or fined in any way?—A. Yes.

Q. What is the amount of the fine?—A. It varies.

Q. From what?—A. Sometimes \$10, \$15 and \$20.

Q. Do they report these people more than once in a season or do they let it go with one report?—A. I think there have been occasions of two violations in one year.

Q. Are these fines always collected?—A. Yes, I think so.

Q. Were your fines collected?—A. Yes.

Q. How much have you paid altogether in fines as far as you can remember?—A. I cannot tell you. I know that on one occasion when Sir Hibbert Tupper was Minister of Marine and Fisheries, I was fined \$60.

Q. In one season?—A. For fishing one day over the season. And the fine was subsequently repaid to me because I brought forth evidence to show that it was impossible to get the traps in on that day. I have been fined since that \$8, \$10 and I think on one occasion \$15.

Q. For having small lobsters?—A. Yes.

Q. Well now, Mr. Baker, do you not think, as far as the size limit is concerned, that if the law was strictly carried out with regard to the canneries, that the size limit regulation would be observed—that it would not help the fishermen having to dispose of lobsters to the canners if the latter were prevented by the enforcement of the law from receiving lobsters under eight inches? Do you not think that that would put a stop to it?—A. Well, I am afraid it would put a stop to the industry.

Q. Do you not think it would put a stop to the catching of undersized lobsters if we were to prevent the canner from buying them?—A. Why certainly the fisherman would have no market for them.

Q. Then as far as that is concerned it would be an absolutely perfect way of stopping the catch of undersized lobsters?—A. I think so, that is to say if I understand you correctly, if you adopt some measure that will prevent the packer, absolutely prevent him, from handling undersized lobsters I think that would stop the trouble because the fisherman would have no market for the small lobster. But I think at the same time it would put the industry out of business.

Q. That is another question. Why do you not now go out of business?—A. Because these lobsters consist of about 30 or 40 per cent of the catch and are now taken.

Q. That is the undersized lobsters?—A. Yes, and if you legislate the fishermen out of 30 or 40 per cent of his catch you simply force him into some other vocation.

Q. Well it might reduce the number of fishermen, for instance?—A. Materially so, I think, sir.

Q. And it might for a while reduce the catch but don't you think that in the long run it would improve and strengthen and enlarge the fisheries? If that law had been observed every year for years past don't you think it would have been to the advantage of both the fishermen and the canning industry?—A. Yes, I think it would.

Q. You think it would?—A. Yes.

By Mr. McKenzie:

Q. Is the size always an index to the age of the lobster?—A. No, I think not. For instance there are some localities in which you would almost invariably get small lobsters. You take in the northern part of Victoria, your own county, for instance the run of lobsters there is always small. I know of Ingonish where you would not get one-half of 1 per cent of lobsters 10½ inches in length.

Q. Then the throwing over of small lobsters, or the saving of small lobsters, has not always answered any particular purpose?—A. No. I think that a great many lobsters if thrown overboard at 8 inches would consist of lobsters that would not grow any larger. That is only an idea of mine, I may be wrong on that point.

Q. You spoke about washing off a lobster. Could an expert or an ordinary man tell that a lobster had been washed off?—A. Yes, I can tell. Most people can tell, that is most of the lobster packers can tell. But you can understand that when a lobster packer gets in 10 or 15 thousand lobsters in his cannery it would be almost impossible for him to take each of these lobsters and scrutinize it individually to see if it had been subjected to this mutilation.

Q. Would it be possible for the government to have such supervision at the cannery as would prevent this selling of lobsters that had been washed?—A. Well that would not prevent the evil because it takes place at sea and the evil would be done when the lobster got to the cannery and you could not catch the offender.

Q. What I mean is, if the man who had washed the lobster at sea could not sell the lobster he would not be so apt to do washing?—A. But it would be possible for him to sell the washed lobster. It would go in with the rest of the catch.

Q. I was going on the assumption that every man sold his own fish?—A. No, the fish are gathered up frequently by smacks, along the coast. We will say that between four and five thousand lobsters, caught by 30 or 40 men, are all put together in this smack and brought to the cannery. It would be impossible to tell who was violating the law and who was not by examination of the lobsters after the smack had taken delivery of them.

By Mr. Kyte:

Q. You are familiar with season for fishing lobsters. West of Canso when do they begin fishing?—A. Well, from Halifax east to Point Michaud the season starts on the 1st of April and ceases on the last of June.

Q. And west of Halifax?—A. The season is from the 15th December until the last of May.

Q. The season is very much longer in that part of Nova Scotia than it is in Cape Breton?—A. Yes, but it is so much more interrupted.

Q. Under the most favourable circumstances we have three months in Cape Breton?—A. We have three months, yes.

Q. But you being familiar with the conditions as regards drift ice you are aware that often the season is only two months?—A. Very little less.

Q. Very little less than two months?—A. Yes.

Q. In Cape Breton? Taking into account the fall fishing which they have in western Nova Scotia, they are not besieged by drift ice, and they have more advantages on account of the access they have to the market for fresh lobsters?—A. That gives them a material advantage.

Q. A material advantage. Then as a matter of fact a division of the seasons is not equitable as between western Nova Scotia and Cape Breton?—A. I think on the whole that we have no reason to complain about our Cape Breton season inasmuch as we have the season in the most favourable time of the year, that is in the summer season.

Q. They have summer too?—A. Until the last of May.

Q. Until the last of May?—A. They have only fishing until the last of May while we have fishing until the last of July.

Q. A part of Cape Breton only?—A. Between Canso and Point Michaud they only fish until the last of June?—A. The last of June, yes. We are limited to about two months' fishing.

Q. That is under favourable circumstances?—A. Under the most favourable circumstances.

Q. Under the most favourable circumstances, of course. Well, would it be any advantage to the fishermen, or would it injure the industry very much, if the fisher-

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men in Cape Breton had a month's fishing in the fall—that is, those of them who are able now to dispose of live lobsters in the American market? I do not speak of the canneries because it may be the canneries would not keep open?—A. My experience of fall fishing, as we used to do a lot of fall fishing on the Nova Scotia coast in the years gone by, is that the lobster is not in a fit condition. We found that it was apparently an invalid, that it had gone through a severe illness so that it required all its energies to recuperate as it were; and as a matter of fact for canning purposes it would take about 30 per cent more lobsters in the fall to fill a 1-lb. can than it does in May and June.

Q. What is the condition of the lobster in western Nova Scotia on the 15th December?—A. On the 15th December the lobsters in western Nova Scotia are fairly good. I am only speaking now about their condition in August, September and October.

Q. They are not good?—A. They are not good in the latter part of August to the latter part of October. The lobsters are not then in good condition.

By Mr. McKenzie:

Q. I suppose you regard the conserving of the seed lobster as the greatest problem of the fishing industry?—A. I consider it as the most vital in the lobster industry, yes.

Q. Have you any theory of your own as to how it could best be accomplished?—Yes, I have.

Hon. Mr. BRODEUR.—He has already given them.

The WITNESS.—I have already explained it, but I will repeat the statement if you wish.

By Mr. McKenzie:

Q. Coming back to what we were talking of a moment ago, viz., the smacks, who is the owner of the smack that gathers up these lobsters?—A. As a rule the lobster packer owns the smacks but there are many cases in which the smacks are owned by the men themselves who become the employees of the packer.

Q. Supposing you call this a smack for the purposes of bookkeeping for a moment and charge the smack with all the seed lobsters that are washed and refuse to pay for them. How would that work?—A. You would not get any smack man to go under those conditions because for him to examine every lobster that goes into the boat individually to see if it has undergone mutilation would take the whole day. He would never get back to the wharf in time with his day's catch.

Q. Supposing three men go out and catch 300 lobsters and among them were 25 seed lobsters which had been washed off. In getting their accounts settled would it be too much to charge those 25 seed lobsters to each of them so as to get at the offender?—A. I am afraid that would be making the innocent responsible for the acts of the guilty.

Q. Certainly, but this is an extraordinary case and you have got to provide an extraordinary remedy?—A. I don't think that any measure you could adopt with regard to the smacks would prevent that thing.

Q. What I want to get at is the fisherman who violates the law by destroying the young of the lobster?—A. But there are many fishermen who do not want to violate the law. There are many fishermen who want to do the right thing by the law and the fishermen now are waking up in many respects to the necessity of observing the law, but you will understand that in each district there are men who will violate the law and it is impossible to tell who is guilty of the violation as the offence is committed at sea.

By Mr. Jameson:

Q. You were speaking a moment ago about the pounds, Mr. Baker. In your idea the pound is the ideal way of handling the seed lobster?—A. I think so. I think so far as we have gone into the lobster industry, so far as experiments in both Canada and the United States are concerned, there has been nothing more beneficial to the lobster industry than the saving of the female lobsters carrying eggs in pounds and liberating them at the close of the season.

Q. What method is adopted in securing lobsters that are in pound, what method do you adopt in getting the lobsters?—A. They are purchased with the ordinary lobsters along the coast from the fishermen, brought up in smacks and put in crates at the various stations and then brought to the pounds and put into the pounds in their natural environment and at the end of the season are liberated along the coast hatching their eggs in a natural condition.

Q. Then they are taken by the fishermen?—A. Yes.

Q. And preserved by them as seed lobsters?—A. Yes.

Q. And what remuneration is allowed the fishermen for taking them?—A. We pay the fisherman about 50 per cent more than for the ordinary lobsters. In addition to that we have smacks employed. We have to furnish crates at our own expense, that is these large boxes, and food—herring—and caretakers and the pound itself. That pound I have at Fourchu has cost me, first and last, nearly \$12,000, that is, the improvements on it and the expenses.

Q. The lobsters can be handled that way with perfect safety without injuring the berries or eggs?—A. Yes, that is my experience. There is, of course, a percentage of them that will die.

Q. What percentage?—A. I should judge between 5 and 6 per cent.

Q. And how far are they transported in that way? I mean what area do you cover along the coast in each direction?—A. We cover as far as Scattarie. We have not got that far the last two years.

Q. In miles what would the distance be?—A. About thirty miles one way and twenty miles the other.

Q. How long can they be treated after they have been landed in the pound?—A. You can keep them a week or ten days, that is to say if you give them a good environment.

Q. Is yours a natural pound?—A. No, it is a pound we had constructed in the mouth of the harbour. I have a photograph of that pound with me.

Q. What is the depth of water?—A. It varies from 2½ to 14 feet. There is a deep channel running through the middle of it.

Q. And at no tide what depth would it be?—A. Well, from two feet to eight feet deep.

Q. Have you found that the fish in it have been injured by the rays of the sun?—A. Yes, on one occasion we had a somewhat serious set back, but on only one occasion during the last six years. The sun became intensely hot and the water grew very warm and quite a number of the lobsters got sick as it were. We had them taken out into cold water at once and many of them recovered. If you will permit me I will show you a picture of this pound (exhibited the photograph).

Q. What area is reclaimed?—A. About 60,000 square feet.

Q. And what is the construction of the retaining wall or breastwork?—A. It is made of stone piers and they are lined on the inside by plank boards 1½ or 2 inches thick, and the whole is surmounted by a wire netting.

Q. And the water passes freely in and out?—A. Freely. It is a perfect current of water.

Q. And in a pound such as you have described how many lobsters can safely be treated?—A. You can put 100,000 there.

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Q. And how many caretakers does it require in a pound to feed the lobsters, and so on?—A. About eight. That is to operate it on a large basis. To have a number of pounds in some localities you would not work it on so large a scale as you do in Cape Breton, you would only want about three caretakers.

By Mr. Maclean (Lunenburg):

Q. How are you paid, Mr. Baker, for this?—A. So much a lobster.

Q. By the department?—A. By the Department of Marine and Fisheries.

Q. How much per lobster?—A. 16½ cents.

Q. For each?—A. For each lobster delivered.

Q. Delivered to whom?—A. Delivered to the agent of the Marine and Fisheries Department.

Q. At the pound?—A. Yes.

By the Chairman:

Q. Who pays for the lobsters that die during the season?—A. I lose that myself.

Q. You own the pound?—A. Yes, I built the pound at my own expense. It has cost me now between \$11,000 and \$12,000. I find that the smaacks, crates, feed, men and employees of every description; in fact, carry the thing on at my own risk, getting 16½ cents each for the lobsters.

By Mr. Daniel:

Q. Do you put feed into these pounds?—A. Yes, we have to feed the lobsters regularly.

Q. What is the nature of the food?—A. Herring ground up, chopped up.

Q. How many lobsters do you have at a time in this pound?—A. We have had as large a number as 30,000 and 40,000, and even as high as 50,000, including large ones.

Q. They would take quite a lot of food?—A. Quite a lot, yes.

Q. How much?—A. I could not tell you very well. They take herring and cut them up. We found at first that when we threw the herring in whole without cutting it into pieces lobsters would fight for the food, but after a while we cut the herring up into very small pieces, and then every dog had his bone, as it were, and there was no more trouble.

Q. It would take some barrels of food every day, would it not?—A. Yes. We don't feed every day, but every second and third day.

By Mr. Maclean (Lunenburg):

Q. Do the lobsters destroy each other in the pound?—A. No, not to any extent.

Q. How long has it been running?—A. Six years.

Q. Have you noticed any improvement now?—A. In the catch along the coast? Yes, quite an improvement.

Q. Do you say it is traceable to this pound?—A. I think all the improvement we have on the south coast of Cape Breton is to a very great extent traceable to that and that alone.

Q. What has been the nature of the improvement?—A. Larger catches and many of the fishermen who had their doubts of the benefits that would be derived from this pound are now strongly in favour of it.

By the Chairman:

Q. Do you see many small lobsters along the coast?—A. Yes, quite a lot, particularly during the last two or three years.

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Q. And these berried lobsters, do they spawn in the pound and go off or afterwards?—A. Quite a number hatch their eggs in the pound, that is to say at times during the season.

Q. You told us the pound was an advantage over the hatchery because the lobster had its natural environment?—A. Yes.

Q. You also told us that when the female lobster wanted to develop the eggs she went in-shore to warmer water but when it came to hatching them she went to sea?—A. Yes.

Q. She cannot do that in a pound?—A. Yes, she can.

Q. In that case how will she get to sea?—A. She does not but the young lobsters that are hatched gradually make their way out through the crevices of the pound. We see them frequently out in the harbour amongst the eel grass.

Q. The young lobsters get out through the crevices?—A. The fry is most vigorous. Prof. Halkett, whom I have seen here to-day, was down there examining the conditions. He saw great myriads of young lobsters in a perfectly healthy condition.

By Mr. Jameson:

Q. What percentage of lobsters do you lose, that is of the total number you took into the pound during the year?—A. There is a loss of about 5 or 5½ per cent.

By Hon. Mr. Brodeur:

Q. That is you pay for 95 per cent?—A. 95 per cent, yes, sir.

Q. With regard to the size limit and the observance of the regulations, what would you think of reducing the size limit for some years or for a year to 7 inches and then increasing it gradually to 8 inches? Do you think it would be a good way of getting the fishermen to observe the regulations?—A. I do. For instance, if you were to enact now a 7-inch limit for the Island of Cape Breton the fishermen there would feel it was only right to meet your views with regard to that limit, and after they had done that for a year or so if they found the catch was increased as the result of this observation of so slight a size limit they would fall into line and probably want a larger limit, might in fact ask for it. But I think if any attempt were made to enforce a drastic measure with regard to the size limit to start with it would wind up the lobster business.

Q. You think it would be impossible to do that and preserve the packing industry?—A. Yes, sir

By the Chairman:

Q. Would you confine that observation to Cape Breton entirely?—A. No, I think that principal obtains throughout the entire lobster industry.

By Hon. Mr. Brodeur:

Q. Throughout the whole maritime provinces?—A. I think so, sir.

Q. To decrease the size limit and then increase it gradually?—A. If necessary, yes, sir.

Q. And have the law observed?—A. Yes, sir.

By Mr. Daniel:

Q. What guarantee would there be that the law would be observed any better than it is now?—A. There would not be any other guarantee than this: if you give the fishermen of Nova Scotia—I perhaps should say the Island of Cape Breton because I am more familiar with that—a 7 inch lobster law they will recognize at once that it is necessary to do something, they will meet you in a spirit of fair compromise and while a 7 inch law would not be a very serious drawback to them the

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maintenance of a larger limit would, and I think that they would accept this as a compromise. I feel sure they would, particularly if they were given to understand that this 7 inch law must be carried out.

Q. Is there any method of educating the fishermen with regard to this matter of preserving the lobster industry?—A. Yes, the fishermen are being very largely educated now by the Fishermen's Union of Nova Scotia. The fishermen have bonded themselves into a union all along the line; they are picking up information all the time, and as far as I can find out they are becoming educated up to the fact that the saving of the seed lobster is absolutely necessary. I think it is only a question of probably a year or two ~~that~~ all along the line this idea will be adopted, particularly if the government undertake to build some pounds and help the thing along.

By Hon. Mr. Brodeur:

Q. You said there was a percentage of about 33 per cent of the catch of lobsters canned which were under the size of 8 inches?—A. Yes, sir.

Q. Of that number can you give us the proportion of lobsters below 5 inches, below 6 inches and below 7 inches?—A. I don't think I could give you any definite information on that subject. Of lobsters of say 6 or 7 inches there would be probably 20 per cent.

Q. And from 7 to 8 inches?—A. That is what I meant, from 7 to 8 inches, 20 per cent, from 6 to 7 inches, probably 15 per cent, and 5 per cent would be below that.

Q. That makes 40 per cent?—A. Yes, about 40 per cent.

By Mr. Warburton:

Q. How many 7-inch lobsters does it take to fill a pound can?—A. About nine. The lobster varies in the different districts. As an absolute fact the lobsters in certain portion of Cape Briton required from 200 to 250 lbs. to fill a case, while in other part of Nova Scotia on the mainland 190 to 200 lbs. of lobsters will fill a case, they are better meated.

By Mr. McKenzie.

Q. I suppose the fishermen regard these laws and regulations as being in their own interest, do they not?—they seem a necessity?—A. There has been a general feeling among the fishermen that it is utterly impossible for man to destroy anything that swims in the sea.

Q. And in that way, I suppose, they regard the laws and regulations as unnecessary?—A. They regard the regulations as having good intention but not in any wise effective. But of late years they have recognized the advisability of saving the seed lobsters.

Q. Knowing you as well as I do and having confidence in you I wish to ask you a question, and that is, 'How do you know whether a lobster is 7 inches or 13 inches long, you never measure them, do you?—A. Yes, frequently.

Q. Does it not take too much time to measure them?—A. No, I have made a special study of the lobster industry during the past 25 years.

Q. You have told us that it would be impossible to find out whether a lobster had been washed or not because it would take too long to examine them. Would not the same objection apply to measuring them?—A. I have never undertaken to go over the 25,000 or 30,000 lobsters and find out how many have been washed.

Q. How do you find whether a lobster is 7 inches or 8 inches long?—A. Measure it, in order to be sure.

Q. But you do not measure all of them?—A. Oh, no.

Q. Do you put them through a gauge or something of that kind to ascertain the size?—A. We have a gauge with an 8-inch limit marked on it, that is for the size limit.

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Q. The 8-inch lobster would not go through the hole and therefore you use it, but the 7-inch lobster goes through and therefore you do not use it, is that it? You do not measure them at all?—A. Oh, no, I have measured them enough to see how long they were.

Q. And therefore about once a week you might discover there were some short lobsters—

Mr. MACLEAN.—You are giving this evidence without prejudice, of course?

A. I am giving the full facts about the lobster industry, and I think it is fully time they should be known and published broadcast everywhere. We cannot publish the facts too extensively with regard to this industry.

By Mr. Prowse:

Q. But could you not obtain evidence regarding the packing of undersized lobsters from the size of the lobster in the can after being packed?—A. Yes, but such evidence would not be satisfactory in a court of law. For instance there is (indicating specimen of berried lobster produced by the department) in that jar a large lobster with one very small claw. If you were to seek to prove, in a court of law, by the size of the meat taken from the claw in a can of lobster that it was an undersized lobster, it might be said that although the claw was very small it had really been taken from a large lobster. It is true that the specimen before us is exceptional in regard to the very small claw it has.

By Mr. Daniel:

Q. What would be the size of that specimen lobster to which you refer?—A. I could not tell you that exactly—about 11½ inches.

By Mr. Maclean:

Q. There is another debatable question in lobstering circles, namely, the granting of licenses to can—are you in favour of restricting the number of licenses?—A. Certainly I am in favour of it.

Q. You would consider it undesirable to allow everybody to have a license to can?—A. Yes, I consider that if everybody were allowed to can lobsters it would only be a question of a very short time before the market would be glutted by inferior lobsters that would give the whole industry a black eye, as it were, on account of the poor qualities.

Q. I think that is right, Mr. Baker, but how would you fix the limit of licenses?—A. Well, so far as I can see, there are now as many cannerys around the Nova Scotian coast as are necessary. For instance no cannery is overburdened with lobsters, and every cannery has a certain fixed expenditure. Take for instance, that a cannery has a fixed expenditure of \$1,000, say. That cannery under existing conditions packs a thousand cases; therefore the fixed expenditure per case is \$1. Let somebody else come in and locate right alongside that cannery, taking 50 per cent of that catch, that cannery still has a fixed expenditure of \$1,000, but it is only able to pack 500 cases, so that instead of being under a fixed expenditure of \$1 per case, the fixed charges amount to \$2 per case, just doubling what it was formerly.

Q. Yes, but you would not want to make restrictions so severe that it would work as a monopoly?—A. There is no danger of any monopoly coming about by reason of the restrictions, because I do not know of any district in Nova Scotia in which competition is not carried on to such an extent as to prevent it. I want to make the statement now so that it will be thoroughly appreciated, that I do not believe the lobster industry in Nova Scotia last year benefited the lobster packers 3 per cent. I think this is a question which should be looked into. There has been a feeling along the coast among the fishermen that the lobster packers are growing rich out of the lobster busi-

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ness. I venture to say that last year the business did not return the packers 3 per cent. I know of some instances where a great many thousands of dollars loss was incurred; the prices became exceedingly high in consequence of reckless competition and the result of that was that no packer knew how many lobsters he was going to get because of that competition, and there was demoralization of the whole industry.

Q. But there must be a certain number of licenses, of course; how would you regulate that?—A. I presume that is discretionary with the department.

Q. Would you require a canner to undergo examination prior to getting his license; would you require him to show that he is capable of packing good lobsters?—A. I might say that only the other day in New York I was talking to a gentleman who has stocked himself up somewhat largely with canned lobsters; he was complaining about the quality. I do not know what the result would be if everybody were allowed to pack lobsters—and all kinds. As a matter of fact you cannot tell whether the lobsters are good or bad, so far as the contents are concerned, until you open the can.

Q. A packer with a good reputation is what is required?—A. The price of lobsters has never been so high as during the time the number of licenses was restricted.

Q. And you would get uniformity in the pack in that way?—A. Yes, a lot of established brands have become known and are sought after and have their regular consumers. The lobster business is precarious and I have known, twenty years ago, thousands of dollars of loss sustained from inferior packed lobsters which had been put up by inexperienced people.

By Hon. Mr. Brodeur:

Q. Would the restriction of the number of licenses be inconvenient to the fishermen by requiring them to carry the lobsters a longer distance to the factories?—A. The canneries are situated very closely together. In Gabarouse there is the Baker Limited factory, then two miles from that we have the Smith factory, and four miles across the bay we have the Abriel factory, and five miles from the Abriel is the Mitchell factory, and the Burnham & Morrell factory is four miles from that; in fact nearly every cove in Cape Breton has a lobster factory.

By Mr. Maclean:

Q. Do you think we should give packing licenses to aliens?—A. To aliens? A very large part of the lobster business of Nova Scotia, and in fact of Canada, to-day is controlled by American firms; men who have a large amount of money invested in the business—these men are opponents of mine, but they have always carried on their business by business methods. Their brands are well known, they are responsible people in every respect, and I think that the people will be far, far better off in the lobster districts under these conditions than they would be if you were to allow a lot of new people to come in who would probably glut the market with an inferior quality of goods and cause a general demoralization of the business.

Q. Would you restrict the licenses to your own countrymen?—A. I beg pardon?

Q. Is it not desirable to restrict these licenses to Canadians?—A. I do not know.

Q. Could a Canadian get a license in the United States to pack lobsters?—A. No.

By Hon. Mr. Brodeur:

Q. There is no packing done?—A. No, sir.

By Mr. Warburton:

Q. Do American firms like the Portland Packing Company employ local labour on the coast?—A. It is nearly all local labour.

By the Chairman:

Q. Are the fishermen pretty generally engaged in the fishing of lobsters?—A. Yes.

Q. Nearly every fisherman?—A. Nearly every fisherman. Well, probably 80 per cent.

Q. Of the entire fishermen?—A. Of the entire fishermen on the coast.

Q. Nearly 80 per cent of the entire fishermen of the coast are engaged in fishing lobsters?—A. Yes.

Q. I have heard it said that the number of lobsters caught depends upon the number of fishermen and that increasing the number of licenses would not necessarily increase the catch but simply distribute it among more canners. What do you say to that?—A. Well, for instance you take us in Gabarouse. If two or three other canners came there, we would make up our minds either to abandon the business altogether or import a lot of fishermen to fish. For instance, if we wanted to pack a thousand cases in our cannery at Gabarouse, we know Smith is a canner there, Abriel is a canner there, but if you provided more licenses, we would bring in other fishermen to catch those lobsters for us.

Q. Where would you get them?—A. We would get them anywhere, get them from the west.

Q. They are all engaged in fishing now?—A. We could get men. We would have no difficulty in importing a number of men there.

By Mr. McKenzie:

Q. You have exported lobsters to Boston and other American cities?—A. Yes.

Q. And you have exported in competition with Americans who were doing business side by side with you down in Cape Breton?—A. Not doing business side by side with us. We are about the only firm on the south coast of Cape Breton who export lobsters alive.

Q. But you have been doing business in competition with American firms who were exporting to the United States?—A. Yes.

Q. Americans doing business here?—A. Yes.

Q. Are you admitted into the American market on the same basis exactly as the American who is doing business in Nova Scotia?—A. Precisely.

Q. He gets no favours?—A. No.

Q. Do you pay duty on lobsters?—A. No.

Q. You export them to the United States free of duty?—A. Yes.

Q. Do you pay duty on your cans?—A. We don't ship canned lobsters to the United States. Ours all go to Europe.

By Hon. Mr. Brodeur:

Q. Which way are they shipped to Europe?—A. We ship them via Halifax.

Q. I see that there is a good trade made with France. How are those lobsters carried to France?—A. Some are shipped direct from Halifax and some are sent to Liverpool and from there shipped to France. There is a tremendously large business in France for the Canadian canned lobster.

By Mr. Currie (North Simcoe):

Q. How many American firms are engaged in this canning industry in Nova Scotia?—A. Well, there is the Portland Packing Company, Burnham & Morrell, H. C. Baxter & Brother—

By Mr. Warburton:

Q. Are the Portland Packing Company the same people?—A. No, they are all different. Mr. Baxter, of the Portland Company, is a brother of the James Baxter who is in the Baxter Brothers' business.

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Q. That is three you have named?—A. Three, but there are four or five.

By Mr. Currie (North Simcoe):

Q. What proportion of the total pack do they handle?—A. I should judge about 40 per cent.

By Mr. Maclean (Lunenburg):

Q. In the district they are operating in?—A. I presume their pack is about 40 per cent of the entire catch.

By Mr. Currie (North Simcoe):

Q. Do they permit you to pack on the State of Maine coast or any of the American sea-boards?—A. No.

Q. Are the canned goods packed by these firms admitted free into the United States?—A. Yes, I understand so, and ours are admitted free too.

Q. Do yours enter free also?—A. I think so. I do not think there is any duty on canned lobsters going to the United States.

By Mr. Kyte:

Q. The Americans themselves do not can in the State of Maine?—A. No.

By Mr. Currie (North Simcoe):

Q. The American industry is entirely a live lobster industry, is it not?—A. Yes, in the United States.

Q. And what proportion of the canned lobsters put up by these American firms goes to the United States?—A. I could not tell you that, but I know they have a very large market in the United States for their own pack, and they also ship to France and to England.

Q. And they come into competition with you in France and in England?—A. Yes.

Q. That is to say, a foreign company comes in here and establishes a factory and puts up Canadian goods and ships those goods, in competition with Canadian capital, into France and Great Britain and other countries, is that right?—A. Yes.

Q. Is there no special license paid by these foreigners for the privilege of carrying on business in this country in that way?—A. No, they have the same conditions that we have and they give us the same conditions in their markets as they have. The thing seems to be reciprocal as it were.

Q. What proportion of capital have they invested as far as Canada is concerned, I suppose just the capital outlay on their factories alone?—A. I should judge that about 40 per cent of the lobster industry is owned by Americans.

Q. Forty per cent of the Canadian lobster industry is controlled by Americans?—A. Yes.

Q. Do you or any of the other packers place your pack through the American firms in the United States?—A. Not that I am aware of. We do not.

Q. Do they own the smacks and gear engaged in the lobster industry?—A. In some cases they own the gear and hire the men to catch the lobsters.

Q. Do they pay any special license greater than you for this privilege?—A. No, they pay 2 cents a case.

Q. I mean do they pay anything more to this government?—A. To this government they pay 2 cents a case.

Q. Do you pay the same?—A. Yes.

Q. Otherwise they are permitted to come in free and engage in this industry?—A. They came in 30 or 40 years ago, they were the pioneer packers.

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Q. I have nothing further to say on that. I am not interested in the lobster industry but I think that having such an industry in Canada we should confine it as much as possible to Canadians. I think special regulations should be adopted to impose a large fee upon any foreigner who comes here and carries on business in competition with Canadian capital. I think that Canadians who invest their money in this enterprise should have protection?—A. These gentlemen have always been so businesslike in their operations in Nova Scotia, they have always given the fishermen such good satisfaction that they have become exceedingly popular. They have a large amount of money invested and it probably would be unjust to throw them out without some cause.

Q. Would not Canadians invest that capital if they had a chance?—A. I don't know.

Q. Well, now let me follow you out. In the earlier portion of your evidence here to-day you stated that the industry virtually was overcrowded with canners?—A. Yes.

Q. Well then, do you not think that in that state Canadians should get the first call, that if there is anything of that kind to be carried on our own people would be the ones to be benefited?—A. I venture to say that if to-day all these American packers and nearly all the large packers in Nova Scotia, any of them, were to put their lobster canneries on the market they would not realize 50 per cent of their cost, nor could they see, from the results which they have obtained from the lobster fishery, that they have got enough profit to justify any business man in offering them more than 50 per cent of their outlay.

Q. If 40 per cent of these canneries were wiped out then the other 60 per cent would reach par according to your method of computation?—A. Yes.

By Mr. Daniel:

Q. Do you find the live lobster business more remunerative in its results than canning?—A. Last year the live lobster business was not remunerative. It was very, very precarious always and last year, owing to the adoption of a 9-inch limit in the State of Massachusetts, which I consider was a bid for cheap lobsters in Nova Scotia, the American market was glutted all the time by the 9-inch lobsters coming into the United States so that, in May the price of lobsters dropped to \$7 and \$8 per crate: the dealers took advantage of the situation.

Q. About how many lobsters are there in a crate?—A. About one hundred. The dealers in that State took advantage of the situation and on the ground of the glutted market poor returns were given, so that nearly everybody who shipped live lobsters last year was disappointed. I know that in our own case we met with some very severe losses, and I know of others whose experience was the same.

Q. Then it is not likely to be an increasing business?—A. Not under the 9-inch limit in Massachusetts.

Q. You think that is too small for live lobsters?—A. Yes.

By Mr. Maclean:

Q. Should there be a season, or a limit of time after the close of the season during which the fresh lobster exporters might keep their lobsters in some pond, and ship them gradually to the United States as the market required them?—A. I think that would result in the general demoralization of the live lobster trade for the reason that if the fishermen of Yarmouth and Shelburne were allowed to carry their live lobsters over until June they would interfere with the market for the Cape Breton fishermen who had not had the advantage of fishing from December to June as would the fishermen from the districts I have named. All the advantage would be with those men and the Cape Breton men would get no advantage at all.

Q. Unless you extended the time again for the Cape Breton men?—A. That would be too late in the season because that would bring you into August again. The

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result would be that the men who started in the west to fish in the middle of December and continued until the last of May would carry over in some cases large quantities of lobsters until June when they would come in conflict with the fishermen of the east, which would be unfair to the fishermen of the east.

By Mr. Currie (North Simcoe):

Q. What proportion of the total catch, as near as you can approximate it, is taken outside the three mile limit?—A. I do not know of any.

Q. There is nothing taken outside the three mile limit?—A. Not on our coast. I understand that in Yarmouth and the west they do go off to sea and fish there.

Q. So that the Americans catch their 40 per cent of the total lobster fishery inside the three mile limit?—A. Yes.

Q. And that percentage is caught by them, using their own gear and tackle—do you say that a proportion of that gear is brought in from the United States by them?—A. No, the large proportion of it is purchased in this country—the material for it is purchased in this country, and a great deal of it is manufactured here giving employment to the local men, women and children around the factories. If their places were taken by others the chances are that well known brands of lobsters would go out of existence to be replaced by inferior brands put up by people who are not experts in the business.

By the Chairman:

Q. You do not think it would be an advantage to the Canadian fisherman to drive out the American packer?—A. No, I think it would come back on the fishermen in a very, very bad way. That is my view of it; I know there are others who hold very strong views the other way.

By Mr. Kyle:

Q. The fishermen are exclusively Canadians?—A. Yes.

By the Chairman:

Q. Is it customary for packers to take out a license for a cannery and not use it?—A. There are very few.

Q. Have you known of cases?—A. Oh, yes, a man may take out a license for a factory and afterwards decide that he shall not use it. The law says that you shall not get a license if you cease running, so that a man having a cannery may take out a license and pack a few cases just in order to keep his factory license; the law does not require him to pack a minimum quantity.

The CHAIRMAN:—Do you want to ask Mr. Baker any questions, Professor Prince?

Professor PRINCE.—No, so far as I am concerned I think Mr. Baker has given very full information.

Hon. Mr. BRODEUR.—Do you desire to ask Mr. Baker any questions, Mr. Venning?

Mr. VENNING.—No, sir, I have already discussed the matter very fully with Mr. Baker, and I think he has only repeated here what he said to me.

Hon. Mr. BRODEUR.—Would Mr. Cunningham like to ask Mr. Baker anything?

By Mr. Cunningham:

Q. I would like to ask you in reference to the 8-inch lobster limit, you speak of a 7½-inch lobster bearing eggs?—A. I say it is exceptional to find a lobster of that size bearing eggs, or rather that you will probably find only one in a hundred thousand.

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Q. And do your remarks appertain also to the 8-inch lobster?—A. Yes, practically. We find very few 8-inch lobsters berried, of course there will be some of that size, and even some 7-inch lobsters but it is very rarely. We do not get berried lobsters that amount to anything under nine inches.

Q. What size do you consider berried lobsters should be?—A. From 10 inches up.

Q. And the 9-inch?—A. Very few in proportion to the numbers.

By Mr. Maclean:

Q. What is troubling me is how you are going to protect the lobsters if you say that the best berried lobsters are 10 inches and upwards, and still you propose a 7-inch limit.—A. Simply by buying the seed lobsters from the fishermen and giving them more for them than for lobsters without eggs on them. I understand you are going to pay 50 per cent more for the seed lobsters.

Q. But supposing they haven't eggs on them?—A. Then they are not seed lobsters.

By Mr. Kyte:

Q. But they will be in August.—A. Yes, some of them.

By Mr. Daniel:

Q. I think you suggested, or the Minister suggested, that in order to protect this industry the size limit should first be reduced to 7 inches, and then gradually increased. Now, what is the logic of that? If you are going to increase the limit why begin by reducing it?—A. I told you why—the conditions to-day are such that if you undertake to increase the size limit and carry it out, enforce it, you will close the lobster canneries; the canneries will go out of existence.

Q. But you propose to increase it beyond 8 inches?—A. Yes, exactly so, but under the existing conditions it is recognized that the law is not observed with regard to the size limit at all. If you meet the fisherman with rational terms, say: 'We are going to give you a 7-inch limit, and expect you to carry it out,' then the fisherman will understand the situation and he will accept it, particularly if you make arrangements with him to buy his seed lobsters.

Q. But I cannot just see how you expect him to obey the law any better when he has a 7-inch limit than he does with the 8-inch limit because, as you say, now he catches everything that goes into his nets?—A. Yes, sir, the temptation is not one-half so strong; to enforce this limit as it exists to-day it would drive him out of business; but he can stay in his business under the proposed limit especially if you buy his seed lobsters.

By Mr. Maclean:

Q. The fisherman can make a living when we allow him to catch 7-inch lobsters, you are minimizing the temptation to break the law by placing that limit?

Mr. DANIEL.—That may be true, but if there is anything to be gained by having a limit above 7 inches you are giving all that gain away by reducing the limit, are you not?

Hon. Mr. BRODEUR.—Well, there are 40 per cent of the lobsters to-day which are undersized, which are being caught against the provisions of the law. Then the suggestion is made whether we should not make a compromise with the fishermen who are interested in the lobster industry, by which 40 per cent would be considered as absolutely illegal and against the catch to which the law would be enforced?

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Mr. DANIEL.—How are you going to enforce the law? Reduce your limit to 7 inches; it is now 8 inches. How are you going to enforce the law? Mr. Baker says you cannot enforce the law.

Hon. Mr. BRODEUR.—If you cannot put it in force against the fishermen, enforce it against the canners.

By Mr. Daniel:

Q. What do you propose, Mr. Baker, is that in case the size was reduced to 7 inches the law should be enforced, and that we should get at the canners in order to enforce it?—A. Yes, get at the canners or fishermen, or smack men. Anybody who violates the 7-inch law should be severely punished.

By Mr. Maclean (Lunenburg):

Q. What punishment would you prescribe for a man catching or having in his possession a seed lobster?—A. I suggested some years ago, and I have never had occasion to change my mind, that every fisherman should be licensed to catch lobsters.

Q. Yes, I remember that.—A. And every packer should be licensed. If the packer violates the lobster law he should lose his license. If the fisherman violates the lobster law he should lose his license. The officers of the government as they go around now should have a book of numbered forms or licenses. Each fisherman should take one of these which will enable him to catch lobsters just so long as he observes the regulations.

Q. How would you swear him?—A. It is not necessary to swear him at all.

Q. What objection would there be to a penalty of imprisonment for a man having a seed lobster in his possession?—A. Past history has shown that very severe measures have always proved to be disastrous.

Q. For what reason?—A. They are too heroic.

By Hon. Mr. Brodeur:

Q. All the fishermen would side with you?—A. Yes.

By Mr. Jameson:

Q. Following out the question of licenses to the fishermen, how would you ascertain whether each fisherman had carried out the law?—A. Every one would be an inspecting officer when he received a license to catch lobsters. There would be perhaps 20 men going off a beach in the morning to catch lobsters. Each one of these men has a license but perhaps out of that number there are one or two or three men not wanting to observe the law. Very well, some one of his fellows reports him and he loses his license; I don't think the thing would be complicated at all.

Q. To whom would he be reported?—A. He would be reported to the fishery officer.

Q. And who would adjudicate upon the case? There would have to be some adjudication?—A. The inspector, I presume.

By Mr. McKenzie:

Q. The inspectors are now ex-officio justices of the peace and they try cases?—A. Yes.

By Hon. Mr. Brodeur:

Q. Would the fishermen be in favour of that; would they not all be opposed to it?—A. I don't know that the fishermen would be opposed to it if you gave them a law that was reasonable. The present law they contend is unreasonable inasmuch

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as the size limit appears to be too high and deprives them of too large a percentage of their catch.

Q. Of course, if the canner accepted lobsters less than 7 inches he would be liable to have his license cancelled too?—A. Yes.

By Mr. McKenzie:

Q. There is a gentleman here who wanted to know how you would carry out the proposition of buying the seed lobsters? Perhaps you answered that question earlier?—A. Well I made the suggestion that in order to raise money out of the lobster industry of Canada, instead of a fishing tax of 2 cents per case it be increased to 25 cents per case for packing lobsters under license. That would give the Department of Marine and Fisheries about \$40,000 a year. This sum could be devoted to buying seed lobsters from the fishermen and they would get for them 50 per cent more than they obtained for the ordinary lobsters.

Q. If you buy the seed lobsters what becomes of it?—A. It is put into a lobster pound where it has an environment under natural conditions and kept there during the time that fishing operations are going on for that season. Immediately at the close of the season when the eggs are ripe and ready for hatching the mother lobster is taken from the pound and liberated along the coast to hatch her eggs in a natural way.

By Mr. Loggie:

Q. What would you do in the case of a coast line where there was no inlet?—A. I may say the pound I have now is practically on the coast line. It is built at the mouth of Fourchu harbour. I don't think it would be advisable to go away up into the bay to build a pound because the conditions would not be natural, the heat would be too intense at times.

Q. Well would you have the government build those pounds on the sea coast?—A. I say that the government could get \$40,000 from the lobster packers by taxing them 25 cents a case and \$40,000 would build and equip about six or seven ordinary sized pounds.

Q. Yes, but six or seven would go only a small way?—A. They would go a very long way.

By the Chairman:

Q. It would be one in every 40 miles?—A. Yes.

By Mr. Loggie:

Q. How would you gather them up?—A. By steam smacks.

Q. At Point Escuminac or Point Miscou you could not do that. There would not be very much chance to gather the lobsters up?—A. We have no difficulty in the Island of Cape Breton although it is a very rough coast.

Q. Are there any islands outside of you at all?—A. Yes, we have some islands outside of us.

Q. Well that is connection?—A. But where the pound is it is exceedingly rough, it is a rough coast.

By Mr. Maclean (Lunenburg):

Q. Would you get this \$40,000 annually?—A. You would get that \$40,000 from the lobster packers each year. With this money you could buy seed lobsters from the fishermen and the industry to that extent would be self-sustaining; it would be taxed this much money in order to buy seed lobsters for the future supply.

Q. And the lobster packers would be interested in the preservation of the lobsters?—A. The lobster packers should be interested.

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By Hon. Mr. Brodeur:

Q. Would the lobster packers be in favour of it?—A. Well I think they would. Those with large interests would certainly.

Q. Has it ever been discussed?—A. I discussed the matter with Mr. Baxter, of the Portland Packing Company, in New York recently. I asked him what he thought of it. He said he thought the idea was a good one and so far as his firm is concerned they would be very glad indeed to pay any reasonable tax that the other packers would pay towards maintaining the supply.

Q. You were speaking of a license for the fishermen? I suppose it would be an annual fee that you would charge them?—A. I would not recommend any fee at all.

Q. No fee?—A. No, I would just give them a slip of paper constituting them lobster fishermen for that season. I understand that in consequence they would observe the law and report any violation of the law which they happened to see.

By the Chairman:

Q. Mr. Baker, does it not strike you that such a license would be ineffective? Supposing you did cancel a fisherman's license it would be the easiest thing in the world for him to sell his pack to somebody else?—A. The fisherman?

Q. Yes?—A. No, sir, because the license that the fisherman would get would simply empower him to catch lobsters and not to sell them. If he lost his license he could not get any more lobsters that season.

Q. Why not?—A. He would have no license. The local officer would cancel his license and he could not get any more.

Q. Yes, but supposing he were in partnership with somebody else. Supposing that John Smith had his license cancelled and Tom Smith had a license? The former would sell all his lobsters through the latter to the factory?—A. But he would not be allowed under this license to do so.

Q. How would you prevent him from doing it, by fining him?—A. By cancelling his license.

Q. Supposing he disregarded that and went fishing with somebody else?—A. He becomes a violator of the law and would have to be punished.

Q. Yes, but that is what he does now in catching small lobsters and yet you do not do anything with him?—A. No.

Q. You would be in the same position would you not?—A. I don't think you would because every fisherman in the event of my suggestion being adopted would be appointed as a sort of officer. Every fisherman would be an official and there certainly would be many of them who would want to see the law carried out.

By Mr. Jameson:

Q. In reference to these suggested pounds you think that \$40,000 would cover the initial cost of building and equipping them?—A. I mean six smaller pounds than what we have, of course, ours is on a large scale.

Q. That would contemplate the government operating them, I suppose?—A. Yes, sir.

Q. Have you any objection to telling the committee what, with your six years' experience in your pound, you estimate to be the cost of the collection of those lobsters?—A. That works out this way—we have a steamer that plies along the Cape Breton coast gathering up the lobsters for our canneries, and we have snacks, and these boats have been doing the work of carrying on this lobster pound business; that is to say, they carry the seed lobsters from one place to the other and deposit them at the pounds, and the boats at the end of the season is placed at the control of the government agent who takes the seed lobster and delivers them. I should judge that the cost—we figure it out at about \$3.50 per hundred.

Q. That is 3½ cents per lobster?—A. Yes.

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Q. And then for the care and the feed of the fish during the time they are impounded?—A. About 2 cents.

Q. Making a total cost of about 5½ cents?—A. Yes, sir.

Q. And you think that the government could operate these pounds for about that?—A. I think so, yes.

Q. Are you familiar with the Bay of Fundy?—A. No.

Q. You could not say anything with respect to that?—A. No. The great rise of tide you might have there would be detrimental. You have a great rise of tide there, have you not?

Q. Yes?—A. That would probably be detrimental to you.

By Mr. Warburton:

Q. Along the south shore of Prince Edward Island there are a number of ponds into which the tide ebbs and flows; they are shallow, and the opening into them is perhaps as wide as this room and one or two feet deep. Would these ponds be suitable for that purpose?—A. I do not think they would be sanitary enough; that water would not be sanitary enough for the lobsters. If I understand you aright, these are small places, inclosed by sand or rock and with a small outlet.

Q. With an outlet, perhaps as wide as this room, but inside the ponds are probably from 50 to 100 acres in extent?—A. It would be impossible to tell whether they are suitable without experimenting on them.

Q. You get magnificent sea trout in these ponds?—A. It would be necessary to make some experiments with lobsters. The lobster is a very ticklish crustacean; you have to handle it very carefully, and although the environment is apparently all right for lobsters, it might not be found suitable in practice.

By Mr. Maclean (Lunenburg):

Q. The only thing you have suggested is a reduction of the size limit in your district and the development of the pound system, with some restrictions, and the licensing of fishermen?—A. And the granting of no more canning licenses except at the discretion of the department, of course.

Q. And you say there should be a limit with regard to them?—A. It should be discretionary with the department.

By Mr. Loggie:

Q. What is the difference between taking the lobsters from pounds and liberating them to go to their haunts from the ordinary way of distributing the young lobsters from the hatcheries. Are they not subject in both cases to the same enemies and to the same destruction?—A. No, I tell you that when hatched in the pounds they do not leave the water at all, they are in their natural conditions, but when they are taken from the hatcheries they are poured into some receptacle and taken out to sea and thrown overboard. It is not the same.

Q. No, they are sunk in the sea?—A. The mortality seems to be very heavy.

Mr. CUNNINGHAM.—No, it is not very heavy, the mortality in distribution is not at all heavy, they come out in splendid condition.

A. Those hatched in pounds are not subject to any change at all from the time they are hatched; that is not the case with regard to those taken from the hatcheries.

By Mr. McKenzie:

Q. There is this striking difference between them that one goes out when he likes and that the other is put out at a certain time?—A. In the pounds they are hatched under the natural environment and kept there.

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By Mr. Loggie:

Q. Are there not other cannibal crustacea in that pound which devour these young lobsters?—A. No,—we have found some small fish in there but everything is watched very carefully, we have eight or nine men employed there constantly.

Q. But they would get in if they were not watched?—A. Yes.

Q. That is what I want to get at; the young lobster is subject to attacks by those enemies if they were present in the pounds?—A. Yes, they are.

Q. I was going to say in reference to the hatchery we have hatched 20,000,000 in our one hatchery and if the government would put on a steamer and gather up the seed lobsters they could hatch many more millions in the hatchery than they have hatched, but it would mean going to the expense of putting a steamer on and buying these seed lobsters. We might utilize the facilities we have to a much greater extent.

By Mr. Venning:

Q. You told Mr. Jameson that the cost of the collection of the berried lobsters would be 5½ cents?—A. Three and a half cents for collection.

Q. What is the other 2 cents for, you said 5½ cents was the cost?—A. That is for the maintenance and care.

Q. Including the collection and the maintenance of the fish, 5½ cents is the outside cost altogether?—A. That is the outside cost of the fish altogether—you would probably have to pay the fishermen, you are paying 16½ cents now, you would probably have to pay them about 10 cents for catching the lobsters.

By Hon. Mr. Brodeur:

Q. How much do you pay them?—A. We pay them 6 cents—it costs us about 11 cents. There has been very little money made in the experiments I have been carrying on, from the commercial standpoint.

By Mr. Jameson:

Q. It costs you 5½ cents plus 10 cents, that is 15½ cents?—A. Yes, we make about 2 cents as a rule.

Q. Just one question with respect to the seed lobsters that are hatched out in the pound. Is it not the case that there are a large number of shell fish, crabs and that sort of thing, that prey upon the young lobster when they are first hatched?—A. Crabs cannot prey upon the young lobster.

Q. They cannot?—A. No, sir.

Q. Are there any fish of any variety that prey upon them?—A. Yes, quite a number of fish prey on the lobster such as the cod, sculpins and eels. I have seen crabs in the pound but I have not seen crabs that were able to interfere with the young lobsters.

Q. I mean the young lobster when first hatched?—A. Then it is a swimmeret that goes darting through the water head first, the crab could not get at it, because it is a bottom scavenger.

By the Chairman:

Q. Professor Prince told us that the young lobster went head first?—A. Yes.

Q. Swimming in the ordinary natural way, and, later on, when he got bigger, he started to go backwards?—A. Yes.

Q. Can you tell us at what period of his life he changes?—A. The young lobster when hatched immediately becomes a swimmer and darts forward through the water head first and continues in that way until about four moultings, this is really the critical part of the lobster's existence because at that stage they are liable during the

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period of moult to all kinds of germs in the water, parasites, and the food problem must be a difficult one with them. They are also cannibalistic—one young lobster will dart upon another one—there is a little sac or shell on the back of the lobster that is very sensitive and one young lobster will drop on the back of another one and pierce that sac, killing him instantly.

Q. And eat him?—A. Yes, I have seen one lobster eat another one, that is, young ones. Well, the mortality is recognized to be so heavy that I suppose not more than 2 per cent survive but that is really the critical part of the lobster's life.

Q. You did not answer my question yet?—A. I beg your pardon?

Q. At what period of his life does he turn the other way?—A. After he becomes shaped.

Q. Yes?—A. It may be two or three months. The young lobster has got to grow and become a bottom scavenger before it crawls backwards. That would be after the fourth moulting.

By Hon. Mr. Brodeur:

Q. Is there anything you would like to add to your testimony?—A. No, sir, thank you.

Witness discharged.

Committee adjourned.

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COMMITTEE ROOM No. 32,
HOUSE OF COMMONS,
THURSDAY, March 18, 1909.

The Select Standing Committee on Marine and Fisheries met at eleven o'clock, a.m., the chairman, Mr. Sinclair, presiding.

The CHAIRMAN.—I will ask the secretary to read a resolution that has been sent to me by the Halifax Board of Trade:

(Letter read by Clerk of Committee as follows):

BOARD OF TRADE,
HALIFAX, N.S., March 15, 1909.

J. H. SINCLAIR, Esq., M.P.,
Chairman of Standing Committee on Fisheries,
Ottawa.

DEAR SIR,—At a meeting of the Fisheries Committee of the Halifax Board of Trade, the following resolution was unanimously passed:—

‘That in the opinion of this committee the first steps towards the better administration of the fisheries should be the reorganization of the Fisheries Department under a deputy minister of fisheries, as distinct from the Marine Department, and the appointment of a commission to thoroughly investigate the condition of the Canadian Atlantic Fisheries, with a view of inaugurating a progressive educative policy.’

Further resolved, that a copy of this resolution be sent to the chairman of the Standing Committee of the House on Fisheries at Ottawa.’

I might say that there was a full attendance at this meeting, and the resolution has met with the approval of parties interested in fisheries in this city, and would respectfully ask you to carry out their wishes.

I remain,

Your obedient servant,
E. A. SAUNDERS,
Secretary.

The CHAIRMAN.—We have present this morning Mr. Cunningham, Mr. Venning, and some other officers of the department; it is for the committee to say how we will proceed.

Hon. Mr. BRODEUR.—I suppose the members of the committee have read over the statement which was brought down by Mr. Cunningham the other day, and if anybody desires to put any questions to him in reference to the question of fish breeding he will be willing to answer.

Mr. MACLEAN.—Just on fish breeding, is it?

Hon. Mr. BRODEUR.—Well, Mr. Cunningham is in charge of that branch, it is under his supervision.

Mr. F. H. Cunningham, Superintendent of Fish Culture, called, sworn and examined.

By Mr. Jameson:

Q. I will just read these few lines from the evidence of Mr. Baker, given when before the committee the other day. He misunderstood the question I put to him

and I want you to give us the information, if you will, you probably can. The question I put was, 'Just one question with respect to the seed lobsters that are hatched out in the pound. Is it not the case that there are a large number of shore fish——.' He thought I said 'shell' fish 'that prey upon the young lobsters when they are first hatched? Mr. Baker replied, 'Crabs cannot prey upon the young lobster. There are large numbers of these lobsters hatched out in the pounds, I distinguished between those hatched out in the pounds and those hatched in the deeper waters. Can you tell us just what fishes there are that attack them in the pounds? Are there not more than would attack them in the deeper water?—A. Yes, the young lobsters escape from the pounds through the grating that is on the top of the wall containing the pounds. It is natural that with a large flow of young lobsters coming out of such pounds the enemies that prey on the lobsters should congregate there the same as all fish will where they seek their natural food.

Q. In the shallow waters, large numbers of perch and fish of that sort?—A. That is the understanding of all scientists who have written or examined into that way of distributing lobsters.

Q. Then there will be a large percentage of the lobsters hatched in the pounds which will be destroyed in that way?—A. There will be quite a number, and the longer the pound is in one particular spot, the longer the number of fish that will gather there and prey on the young lobster.

By Mr. Maclean:

Q. How long have you been in the Fisheries Department?—A. Twenty-six years.

Q. And you have always been engaged on the lobster side of the Fisheries Department?—A. Always in the Fisheries Department, and since 1888 I have been wholly connected with the fish breeding work of the department?

Q. With the fish breeding?—A. Fish breeding, that includes all kinds of fish that are incubated in the hatcheries of the department.

Q. What is your position termed?—A. Superintendent of Fish Culture.

Q. Who are with you?—A. The inspector of fish hatcheries, Mr. Finlayson, and the officers in charge of the fish breeding establishments and the under employees, such as those that may be employed on temporary work. Of course our staff is not always the same; when the eggs and the parent fish are being collected we have a much larger staff than ordinarily; but it may be stated that there are about five regular employees when they are in active operation, hatching eggs and distributing fry.

Q. Do you take into consideration also the matter of fish curing?—A. No, sir.

By Hon. Mr. Brodeur:

Q. It is not in your branch?—A. No, sir, that is not in my branch.

By Mr. Maclean:

Q. There is a different officer in charge of that?—A. That comes under Mr. Venning, who is superintendent of fisheries.

Q. You have heard some of the evidence given here since the beginning of the sittings of this committee?—A. Yes.

Q. What do you think of Mr. Baker's evidence yesterday with respect to the proposal to diminish the size of the lobsters taken on the shores of Cape Breton Island, that, I think, is the shore he referred to?—A. I do not agree with him, for the reason that he suggested that seven inches should be the minimum size. A seven-inch lobster never had the opportunity of reproducing, and it must be remembered that at the same time that you are catching the seven-inch lobster you are also catching the ten-inch lobster, and the larger sizes, which are the reproducing lobsters. Now, if you at the same time you are catching the seven-inch lobster are also catching the breeding lobster, it stands to reason that in time, and in a very short time, the lobster industry must be exterminated, because you are not only killing the young but also the breeding lobsters.

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Q. No lobster under seven inches carries eggs?—A. If I remember rightly he said probably one in a hundred thousand.

Q. Therefore you think that would be an encouragement to the destruction of the lobster that is reproducing?—A. Yes. With reference to the 7 inch lobster limit, he stated that it took nine 7 inch lobsters to make one pound can. Now to equal the number of pounds that we packed in 1907 it would require 78,000,000 of 7-inch lobsters, but with our present regulations, the minimum limit of which is eight inches it will take 69 $\frac{1}{2}$ million lobsters to produce the same pack. That would be a saving of nearly 9,000,000 lobsters in the difference between the seven-inch and the eight-inch limit alone, and of course the larger the lobster the less number it takes to make a can. A seven-inch lobster will give you about 1 $\frac{3}{4}$ ounces of meat, while the eight-inch lobster will give you about 2 $\frac{1}{2}$ ounces of meat, that is a difference of one-third of an ounce more meat in the eight-inch lobster than you will get from the seven-inch lobster, and my figures in that respect are very conservative. So I claim that it is like a farmer if he kills off his ewes and his lambs at the same time his flock will very soon be exterminated.

By Mr. Crosby:

Q. What do you think the limit should be?—A. I think that with our present limit of eight inches and a strict enforcement of these regulations, with the assistance of the hatcheries and the pounds, that our lobsters will be perpetuated and that the industry will be conserved, and I contend that if any factory cannot continue its business with eight-inch lobsters it is time they were out of the business. A can of lobster in Ottawa to-day retails at 45 cents for a one pound can. If you take nine seven-inch lobsters to make a one pound can, it stands to reason that the drain on the fisheries is too great for the money that is received for it. Whilst they retail at 45 cents the wholesale cost of a case of lobsters in Ottawa to-day—the case contains four dozen is \$17. I contend that nine lobsters for one pound of meat which have never had the opportunity of reproduction is certainly too great a drain on the lobster industry.

Q. What do you say as to the spawning of lobsters, eight inches in size, do they all spawn?—A. No, it is a very small percentage of eight-inch lobsters that spawn.

Q. What percentage?—A. Last year I had occasion to handle some 2,000 lobsters and I did not find one eight-inch lobster in the 2,000 that was bearing eggs.

Q. You did not find one in 2,000—A. Not one in 2,000.

Q. Mr. Baker, I understand, said that not one seven-inch lobster in 100,000 bore eggs?—A. He said there was not one in 100,000 of seven or seven and one-half inches.

Q. Then what do you say to the limit of eight inches?—A. There are a very small percentage of eight-inch lobsters that will give you eggs.

Q. What I mean is do you not think it would be a good thing for the lobster fishery if we had a higher size limit?—A. Speaking—

Q. How are you going to conserve the lobster industry if you are going to kill them off at seven and a half to eight inches? If you do that you will never have any big lobsters?—A. Well the chances of lobsters becoming big even with the eight inch limit is certainly very small. Mind you I am speaking now purely as a fish culturist and in the interest of the perpetuation of the lobster industry.

Q. Exactly?—A. And as a man whose duty it is to, if possible, perpetuate that fishery and add to its value. I am not taking into consideration at the present moment the vested rights, or anything of the kind, of those who may be in the business: I am speaking entirely now from the standpoint of the propagation of the lobster, as a fish culturist.

By the Chairman:.

Q. You are not thinking of preserving the life of the fisherman at all?—A. No, I am not, not at the present moment.

By Mr. Crosby:

Q. You are thinking of prolonging the life of the fishermen and the life of those who are to come after them. I can follow you?—A. I think the fisherman himself should have enough interest in his business and those who come after him to help the department to enforce these regulations and thereby add to the perpetuation of the lobsters without the department having to pay them for carrying out the regulations. That is my view on the matter and it always has been.

By Mr. Turgeon:

Q. Do you not think that if we could observe a size limit of nine inches all over the maritime provinces that it would be best in the future of the lobster industry?—A. It would certainly be better for the perpetuation of the lobsters themselves but I do not think it would add very much to the life of those engaged in the business.

By Mr. Crosby:

Q. Take a nine-inch lobster, what would be the percentage of lobsters of that size that would spawn? Would there be any doubt in the case of lobsters of that size?—A. No. You might say that 60 per cent of nine-inch lobsters will bear eggs.

By Mr. Maclean (Lunenburg):

Q. Sixty per cent of the female lobster?—A. Of the the female lobster, yes. When you speak of the female lobster I might say this: that in so far as I have heard everything has been done in the direction of protecting the female lobster, but we have heard nothing whatever about the propagation of the male lobster.

Q. How do lobsters breed?—A. They copulate. I have never read or heard of anybody who has actually seen the act of copulation, but scientists tell us that the sperm which is ejected in the act of copulation is of long vitality and that the eggs when extruded from the female become impregnated from the sperm which is contained in a receptacle on the female itself.

By Mr. Todd:

Q. Do you agree with Mr. Baker in his statement that from $2\frac{1}{2}$ to 3 per cent of the female lobsters are barren?—A. I do not understand that Mr. Baker made any such statement as that

By Mr. Warburton:

Q. He did not say they were barren but that they would come to bearing?—A. Yes, certainly.

By Mr. Maclean (Lunenburg):

Q. At what age does the male lobster become fit for the duties of paternity?—A. I would think the male lobster would probably reach maturity just as early, if not earlier than the female lobster. I have never seen that question referred to in any scientific work or in any other direction.

By Mr. Crosby:

Q. Do you not think it is a matter of importance?—A. The age at which a male lobster reaches maturity?

Q. Yes?—A. Perhaps Prof. Prince could tell us more about that. I have never seen any reference made to the time at which the male lobster reaches maturity.

By Mr. Maclean (Lunenburg):

Q. When does the lobster cast its shell?—A. Generally about the month of September.

Q. At what age or size?—A. The first year of a lobster's life is a series of moultings.

Q. I see. It is continued is it?—A. It is continued right on for the first year and, of course, as the lobster grows larger the periods of moulting are further apart and

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at a certain stage there is no question that the moulting ceases altogether. The lobster does not keep on growing as long as it lives and as it increases in size the moultings becomes further apart and at a certain stage no doubt it ceases altogether.

Q. What is the probable age of a nine-inch lobster?—A. A nine-inch lobster would be about $3\frac{1}{2}$ to 4 years old.

The CHAIRMAN.—Have you made any experiments to ascertain that.

Mr. DANIEL.—The evidence we have had is that the time taken to attain eight or nine inches would be at least five years. I heard some one make that statement, I don't remember who just at the moment, I think it was Prof. Prince.

By Mr. Crosby:

Q. Prof. Prince stated that it would take a lobster there years to develop five inches?—A. No scientists agree, Mr. Crosby, on that. The lobster that you saw in the jar yesterday is supposed to be a ten and a half inch lobster taken from the pound. Now Prof. Herrick with whom Prof. Huxley agrees, will tell you that a lobster would be from five to six years old.

By Mr. Daniel:

Q. With regard to the idea of reducing the size limit from eight inches to seven, you heard Mr. Baker's evidence?—A. Yes, I heard Mr. Baker's evidence.

Q. You heard him say that at the present time the law is not carried out at all?—A. Yes.

Q. That the canners can everything that comes in?—A. Yes.

Q. Five, six, seven inches or any other size?—A. Yes.

Q. What is your view, what is your opinion, as to the effect on the business of reducing the size to seven inches? Do you think or do you not—

Mr. MACLEAN (Lunenburg).—He has answered that.

Q. Do you think or do you not that it would have the effect of depleting the fishery and ruining it?—A. I think it would have the effect of ruining the fishery.

Q. Ruining the fishery?—A. Yes.

Q. Destroying the very industry itself?—A. Destroying the very industry itself. Certainly there can be no other result. If you are destroying the progeny without allowing it to reproduce and at the same time destroying those that have reached maturity it is only reasonable to suppose that after a time the industry must be exterminated.

Q. Are you in a position to form any opinion as to how soon or at what period the industry would be practically destroyed by allowing things to go on as they are now or by reducing the size limit to seven inches?—A. By allowing the industry—

Q. As a matter of fact there is no limit now.

Mr. MACLEAN (Lunenburg).—That question is too general, there is no evidence.

Mr. DANIEL.—What do you say?

Mr. MACLEAN (Lunenburg).—There is no evidence quite as you put it. Mr. Baker was only speaking of one district.

Mr. DANIEL.—I am only speaking of one district because the size limit is different in other districts. I am referring especially to that district and have Mr. Baker's evidence particularly in my mind. I wanted to know if you could form any opinion or give the Committee any ground to form an opinion as to what length of time it would take to deplete the fishery as to make it non-productive?

The WITNESS.—That is a very difficult question to answer.

Q. What statistics have you in regard to the catch in the maritime provinces?—A. These statistics are all gathered by our officers.

Q. But that does not refer to the lobsters shipped alive?—A. The difference in the shipment of live lobsters in the years 1905 and 1907 is that there were 154,000 cwts. in 1905 and 97,490 cwts. in 1907.

Q. There is a decrease there?—A. There is a decrease there of 57,000 cwts.

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Q. Do you know about the catch of lobsters on the coast of Maine in 1907, how it compared with previous years?—A. I have not the figures with reference to the State of Maine.

By Mr. Todd:

Q. There was an increase last year in the State of Maine I might tell the committee?—A. The decline in the catch of Massachusetts since 1890 has been from 1,612,000 lobsters to 426,000 last year, that was in the State of Massachusetts, and that is why, I think, they reduced their size limit to 9 inches.

Q. They do not can lobsters in Massachusetts?—A. No, these are live lobsters, it was the live lobsters that Mr. Maclean was asking about.

By Mr. Maclean:

Q. Are these figures affected any by the state of the market in 1907? Or does the decrease appear to be divided evenly over the different years?—A. That appears to be gradually declining during the period.

Q. In the maritime provinces?—A. In the maritime provinces.

Q. What methods have you adopted to get statistics with regard to the live lobster trade?—A. The statistics are all collected by our officers; just by what means they collect them I do not know, that is a question Mr. Venning will be better able to answer than I am.

By the Chairman:

Q. Have you a statement of the quantity of live lobsters taken each year in the maritime provinces and shipped to the market?—A. I could not answer you that. The only way you could get that statement would be from the lobster men.

Q. You haven't that?—A. I haven't it here.

Hon. Mr. BRODEUR.—I would advise the committee not to ask Mr. Cunningham in reference to that branch of the question, as he is not familiar with it. You will have Mr. Venning before you later on and he can tell you how that is done. Mr. Cunningham has taken charge of the fish breeding and pounds and I would advise the committee to confine their questions, whilst he is giving evidence, to those particular subjects.

By the Chairman:

Q. You say that in your opinion the live lobster trade is decreasing, as well as the canning, that is in quantity?—A. Certainly.

Q. From year to year?—A. Certainly, in 1905 they shipped 154,000 cwts. and according to statistics for 1907 they only shipped 94,000 cwts.

Q. I do not think that would prove that it was decreasing, by reason of comparison between any two years, because it fluctuates?—A. Of course it fluctuates, but the statistics show that there has been a decrease, this is not a simple comparison between two years.

By Mr. Maclean:

Q. Is it possible, notwithstanding the violation of the laws and regulations, for the department to have sufficient seed lobsters to reproduce that particular species in quantities large enough to keep up the average?—A. No, because every lobster that goes into the trap is taken by the lobster fishermen.

Q. Would there not be enough that are not taken to give all the seed required?—A. I do not think so, because we find that in connection with the lobster hatcheries it is getting more difficult every year to get a sufficient quantity of seed lobsters.

Q. Have you ever looked into the question whether or not there is a change going on on the Atlantic coast regarding the food of lobsters?—A. No, sir, I have not. That is purely a scientific work. We have in the Dominion of Canada some

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35 fish breeding establishments at the present time and the scientific part of the work is something that comes under Professor Prince altogether.

Q. What do you think about pounds?—A. I think myself that the pound is a valuable adjunct which assists in perpetuating the lobster industry.

By Mr. Todd:

Q. Is this private pounds you are speaking of?—A. No, government pounds, Mr. Todd; pounds run entirely by the government for the purpose of retaining the seed lobsters. And liberating them at such times and in such areas as they are required.

By Mr. Maclean:

Q. I am talking about pounds, no matter whether government or private owned pounds?—A. Yes.

By Mr. Todd:

Q. Do you favour private owned pounds? In our county it is a question of much importance. I know that most of our lobsters in Charlotte county are now going over to Eastwood, they are being bought by private pound keepers in the State of Maine who put them into their private pounds. We would like to save them for private pounds in Canada, but they are taken across the border, they are sold to the private pound owners in the State of Maine who keep them in the pounds until the price goes up in New York and Boston, and then they take them out and ship them to the market, getting the high prices. In that way we are losing a great deal of money.

Hon. Mr. BRODEUR.—Do they sell them during the close season?

Mr. TODD.—Well, Maine has no close season.

Hon. Mr. BRODEUR.—No, no, I mean during our close season?

Mr. TODD.—No, they sell them in our open season. It has been agitated by fishermen in our waters that they should be allowed to buy them in the open season and sell them in the open season, but most of them will be sold in February or March when the price is high.

By Mr. Maclean:

Q. That is your opinion about retaining the seed lobsters in the pound for breeding?—A. That will depend upon whether or not the natural conditions exist in the pound that will allow of the lobster hatching in that pound during the close season. I do not think there would be any objection to that, provided of course that the pound afforded the natural conditions for hatching lobster, but the selling of those lobsters during the close season I would most certainly not be in favour of. In the State of Maine, of course there is no close season and the protection to the lobster there consists of the size limit only.

Q. That has often been urged, that the lobster fishermen should be permitted to keep live lobsters caught in the open season and sell them during the close season?—A. That has been urged, yes.

Q. You do not favour it?—A. No, I do not favour that.

Q. It would be unfair to the men fishing in the districts whose season is later?—A. Certainly, it would be unfair to the men who had not the same opportunity of the market or the season that he has, that the man in one district would be allowed to be trafficking in live lobsters during the close season at a time when they were ready for hatching.

Q. It would be unfair to the Cape Breton men as against the Bay of Fundy men?—A. Certainly.

By Mr. Todd:

Q. There is another point—by the establishment of these private pounds large lobsters would be shipped into the Canadian market, and they would bring much bigger

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prices than the canners now pay for them. The fisherman now, under the present system, do not get from the sale of their lobsters any such prices as they would receive if they were able to ship them up to the people of Ontario and Quebec where they pay high prices. It would net very much more for the fishermen down in the maritime provinces if that were done, because as it is now there are 40 or 50 private pounds around Eastwood and Portland in Maine for which these lobsters are bought and we lose them.

By Mr. Crosby:

Q. I want to find out what particular size the lobster would be when we would get the full percentage of its breeding?—A. You may calculate on a full percentage when a lobster reaches ten inches long. They are from ten inches and upwards the best lobsters for reproducing their species. After that they produce a large number of eggs, as these figures will inform you, which have been obtained from actual tests; an eight-inch lobster bearing eggs will give you an average of 5,000 eggs; a ten-inch lobster, 10,000 eggs; a twelve-inch lobster 20,000 eggs. If you notice the number of eggs doubles with every two inches of size. A fourteen-inch lobster will give you 40,000 eggs; a sixteen-inch lobster will give you 80,000 eggs. Now there is this peculiarity, that whilst a lobster may give you 20,000 eggs this season, the next season that it reproduces it might not give you that many. That is affected largely by climatic and other natural conditions. But the figures I have given you are the actual quantities obtained by actual tests of numbers of lobsters that can be fairly relied upon as being the average yield of lobsters of the various sizes that I have mentioned.

Q. I understood Prof Prince the other day to state that a ten-inch lobster would give 85,000 eggs?—A. I don't think so. I did not understand Prof. Prince to say that a ten-inch lobster would give 85,000 eggs. Of course scientists will vary in their estimate of the quantity of eggs that a given species of fish will produce.

Mr. CROSBY.—I do not suppose it will make very much difference.

The CHAIRMAN.—Prof. Prince stated that a sixteen-inch lobster caught at Wood's Hole, Mass., was examined and found to have 85,000 eggs.

The WITNESS.—That is proof, although I was not aware of the fact that these figures are correct because by our own test a sixteen-inch lobster would give about 80,000 eggs, and therefore a sixteen and a half-inch lobster would yield 85,000 eggs.

Hon. Mr. BRODEUR.—I might perhaps read what Prof. Prince said: 'one eight-inch lobster may have 5,000 eggs, a ten-inch, 10,000 eggs.' Those are some of the figures given by Prof. Prince.

Mr. CROSBY.—They are practically the same.

Hon. Mr. BRODEUR.—'A twelve-inch, 30,000 and a sixteen and a half-inch lobster caught at Wood's Hole, Mass., in 1895, was examined and found to have 85,000 eggs.'

By Mr. Crosby:

Q. Supposing you have an eight-inch limit, so in fact we have now, could you tell how many of the breeding lobsters escape the fisherman?—A. There would be no possible way by which we could tell that, no possible way at all.

Q. Would you not recommend strongly a nine-inch size limit at least?—A. I do not think I would go as far, being under oath, as to say that I would only recommend a nine-inch lobster. In answering a question of that kind it must be remembered it has already been stated here that the present regulations limiting the size to eight inches will practically put the whole industry out of business, and if the regulations are changed so as to increase the size to nine inches it means that every lobster cannery in the industry would be out of business.

Q. I take it for granted that we have you here for the purpose of ascertaining not what will put the lobster canning industry or any other industry out of business, but what will keep the lobsters in business, to promote the production of lobsters so that we will not lose the business altogether. I would not think that the business end of the industry would have very much to do with your evidence here. What I want to

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get from you is your opinion with regard to the maintenance of our lobster fishery in a condition as complete as it is possible to keep it. Now for instance take the seven-inch lobster, you say its catch would deplete the industry?—A. It would.

Q. You do not give us what limit of time that would occur in?—A. No, I do not.

Q. I suppose it would be safe to say in the course of 25 years?—A. I would not like to state the number of years at all for a seven-inch lobster.

Q. You would not?—A. No, I would not.

Q. You have no information on the subject?—A. We have no information.

Q. Would you say that it would deplete the lobster industry in 50 years?—A. I think it would be safe to say that the industry would be depleted in 50 years or before that time.

Q. What would you say of 30 years? Because it is a matter of vital importance with regard to that to my mind. If we are going to deplete our lobster fishery in 50, 30 or even 20 years by the regulations under which fishermen are allowed to catch lobsters our lobster fishery will soon be gone altogether.

The CHAIRMAN.—I don't think you should argue with the witness, but ask him questions. We will give you an opportunity of discussing and making speeches later on.

Mr. CROSBY.—I don't know that I am making a speech. If the chairman says I cannot ask this gentleman——

The CHAIRMAN.—Ask him all the questions you please but don't express your own opinions.

Mr. CROSBY.—I am not expressing any opinion. I have none to give because I know nothing about the matter. I am here to try and learn.

The CHAIRMAN.—Well, that is what I want you to do.

By Mr. Crosby:

Q. I have asked Mr. Cunningham if the taking of seven-inch lobsters would deplete the lobster fishery in 20 years. He says he does not think it would. I then asked him if it would have that effect in 50 years, and he says he thinks it would in less time. I am trying to get at the time in which the depletion would occur.

The CHAIRMAN.—All right, go ahead.

Mr. CROSBY.—If Mr. Cunningham says he does not think he could say just what time the depletion would take place in, all right.

The WITNESS.—I would not like to state the number of years it would take to deplete the lobster industry but I say that the taking of seven-inch lobsters would most assuredly deplete the lobster industry much quicker than if there was a limit of eight inches. For the simple reason that it will take some 8½ millions more of seven-inch lobsters to keep up the present pack than it will of eight-inch lobsters. With the eight-inch lobster a much smaller percentage has had an opportunity of breeding than of the nine-inch, but for the protection of the lobster and for the perpetuation of the lobster fishery a nine-inch limit would certainly be in the interests of that fishery, there can be no question about that because that is a time when you can depend on a large percentage having reached the breeding stage.

Q. From your opinion with regard to the spawning of the nine-inch lobsters, that about 60 per cent of the nine-inch lobsters will spawn, that will seem to me to be about as close limits as you can fairly come to and expect the lobster industry to be kept up. Have you any knowledge of the conditions on the Newfoundland coast with regard to that?—A. No, we have no fish hatcheries in Newfoundland.

Q. Are you in possession of any information, or do you know what they are doing there, whether they have any supervision over the lobsters?—A. I do not know anything they are doing there, whether they have any supervision over the lobsters or not.

Q. As a matter of fact I think it would be well if we could get some officers of the Fisheries Department to communicate with Newfoundland upon that subject. I do not know whether they have any regulations there or not.

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Hon. Mr. BRODEUR.—Mr. Venning, will you please take a note of that and have that information obtained?

By Mr. Maclean:

Q. I understand that the Commissioner of Fisheries for the State of Massachusetts has said that it is a biological error common to all countries to protect the small lobster?—A. Yes, that is right.

Q. The statement is made by Dr. Field:

‘Upon examining the lobster laws of all the States and of the maritime provinces, it was noticed that one glaring biological error is prominently common to all, viz: In every case the efforts are directed to protecting the immature, under the fallacious assumption that the fundamental source of the lobster supply is the young lobster which by growth will become of legal size for market; whereas, in point of biological fact, the fundamental source of supply is not the young lobster, which in and of itself alone is to furnish the market supply, but the search must be carried back one more step. It is the egg which is the ultimate source; and the future supply of young lobsters which by growth may be expected to furnish the marketable supply is at the basis dependent upon the number of eggs produced.’

What do you say about that statement and what justification is there for it?—A. This is a report on the State of Maine which covers Dr. Field’s remarks. With reference to that question, Mr. Maclean, Dr. Herrick has shown that the egg-producing capacity practically doubles three times in the growth from eight to fourteen inches, being for an eight-inch lobster, an average of 5,000 eggs; for a ten-inch lobster, an average of 10,000 eggs; for a 12-inch lobster, an average of 20,000 eggs; for a 14-inch lobster, an average of 40,000 eggs, and a 17-inch lobster producing 63,000 eggs, the largest number recorded being 97,000, that is what he says. It was found that the female lobster became sexually matured when from eight to twelve inches long; the majority of all 10½-inch female lobsters are mature. In 100 dissections, 25 females were found from 9½ to 12 inches long which had never laid eggs, 25 per cent, and of the 17 immature six were 10½ inches or over in length, and in most cases the ovaries would not have become mature for two years. Of 2,602 egg-bearing lobsters collected by the *Egret* during the season of 1905 only 129 measured less than 10½ inches, 161 were exactly 10½ inches, 25 measured 10¼ inches, 63 were 10 inches, 16 were 9¾ inches, 16 were 9½ inches, three 9¼ inches, six 9 inches, which shows that the 9-inch lobster is the lobster which commences to reproduce.

Q. He bases his argument upon that, that it is a biological error to protect the small lobster?—A. Well, he bases his argument on the fact that the lobster does not reproduce until it is 9 inches, and theorizes that by protecting the 10-inch lobster and over you get a much larger percentage of eggs from that size of lobster that you can afford to catch the lobster between 9½ and 10 inches.

Q. What is your branch of the department doing in the way of studying the habits and lives of the fish, have you ever done any of that work?—A. We have never done any scientific work of that kind except such as has been done in the biological stations.

Q. But you cannot observe the habits of the fish, their life, or other features can you, very well in the biological stations?—A. In these stations it is being done, of course, by scientists, and I believe there is one scientist connected with the biological stations who has been doing work on Prince Edward Island the last two years in connection with the lobster business.

Q. Do you not think it would be a good idea to have officers of the Fisheries Department stationed along the Atlantic coast to study the lobsters during the season?—A. Yes.

Q. It might be possible to get some valuable information in that way, might it not?—A. That is the intention of establishing the biological stations. There is a

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biological board, of which Professor Prince is chairman, and I understand they are taking up the examination of different species of fish and crustacea each season.

Q. You favour the pounds, do you?—A. I favour the pounds and the hatcheries.

Q. Do you favour the pounds being operated by the department?—A. By the department.

Q. And not by private individuals?—A. Not by private individuals.

Q. Are you in favour of unrestricted canning licenses, or are you in favour of restrictions?—A. I cannot answer that question, because the issuing of these licenses comes entirely under Mr. Venning. I could not answer that.

By Mr. Fraser:

Q. You favour the 9-inch limit?—A. I think the 9-inch limit should be the limit for the protection of the lobster.

Q. Do you know that the present limit is not observed?—A. I know it is not observed; no, sir.

Q. What would be the result of enforcing that limit?—A. Well, most of the canneries in Prince Edward Island would be put out of business, but with a 6-inch limit it would be the same thing.

Q. Any limit would do it?—A. Yes, any limit would put them out of business in Prince Edward Island.

Q. Now, as to the seasons, are you satisfied that the time limits for fishing are satisfactory in the different provinces?—A. I do not favour a less close season than there is at present, but I think there should be a more uniform season covering larger areas. I think there are now nine different close seasons.

Q. Please look at the map? On the south shore of Nova Scotia there is a line which goes somewhere near Halifax. Is there any good reason why there should be different seasons along that shore? It seems to have the same exposure as in other parts of Nova Scotia. Do you think that the regulation as to the season there is a wise one?—A. That is from the 15th December to the 30th May. That was made there for the purpose, as I understand it, of protecting the live lobster trade.

Mr. CROSBY.—Encouraging it.

The WITNESS.—Yes, encouraging it.

By Mr. Fraser:

Q. Do you not think there are too many seasons around the coast now?—A. I think there are too many different seasons, yes.

Q. Do you know what effect these different seasons have upon the lobster market in Europe?—A. No, I do not know what effect they have.

Q. I am informed by lobster packers that where they have an earlier season they cannot very well put a price upon their lobsters until the pack in the later season is in because there may be a larger pack in the later season and the lobsters caught first will have to be sold according to the number taken later on. This difference in seasons has an effect upon the markets in Europe because they have to be regulated according to the catch during the later season. Would you be in favour of making the seasons more uniform?—A. More uniform? Yes.

Q. Would you also be inclined to make the size limit uniform?—A. The size limit is uniform now with the exception of three cases. In Charlotte County and Digby County, N.S., the limit is 9 inches. In St. John County it is 9 inches. In the Bay of Fundy including Kings and Annapolis Counties it is 10½ inches where they have the live lobster trade. In all the other parts of the coast, with the exception of Yarmouth County where they also have a live lobster trade, it is also 8 inches. There are five cases where the limit is 8 inches already.

Q. What would you recommend as the size limit in view of the fact that the present regulation is not observed, or what change would you recommend? You are aware that if you carry out the present regulation you will close all the factories almost. What change would you recommend or would you suggest any change?—A.

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I have already stated that the present regulation of 8 inches strictly enforced with the assistance of the hatcheries and pounds will meet the case.

Q. But that will close the factories too?—A. To my mind any factory that cannot operate with an 8-inch lobster should be closed, if it is the intention that the industry should be perpetuated.

Q. Well, you will perpetuate the industry by closing all the canneries for a time, is that what you mean?—A. No, it will not close them all for a time. I do not think myself, with the exception of one or two areas, that it would close them all.

Q. What areas would close now if the present limit were enforced?—A. I think that Prince Edward Island would be affected.

Q. The canneries there would be all closed?—A. Prince Edward Island would be affected more than the other parts of the coast of the maritime provinces.

By Hon. Mr. Brodeur:

Q. For how many years would they be closed?—A. In order to answer that question, I will have to know what size limit there is now and what size they pack.

Mr. FRASER.—They pack all sizes.

Hon. Mr. BRODEUR.—The size limit under the law is 8 inches.

By Mr. Warburton:

Q. With regard to the lobster regulations and seasons, are you not practically compelled by climatic and ice conditions to have different seasons in different places?—A. In certain districts, yes.

Q. And also by the different conditions of the canning trade and the live lobster trade?—A. Certainly, more especially with the live lobster trade.

Q. For instance, you have an open season from December to May on the southern coast of Nova Scotia?—A. Yes.

Q. That would be of no use whatever in Prince Edward Island, would it?—A. No, not in Prince Edward Island, where your fishing season is from May 25 to August 10.

Q. The ice conditions there would prevent it beyond any question?—A. Yes.

Q. Owing to these conditions you have the different seasons?—A. Owing to the conditions as between the canning trade and the live lobster trade you must have different seasons, certainly.

Q. And that is the reason of the difference, is it not?—A. That has something probably, to do with it.

By Mr. Fraser:

Q. In the live lobster trade do they not also can the small lobsters?—A. No, there are practically no canneries where they have a live lobster export trade.

Q. Don't they pack the small lobsters?—A. I could not answer that; I am not sure exactly where the location of these canneries are and the extent of them.

Mr. FRASER.—I am informed they pack the small lobsters and ship the live lobsters away.

Senator ROSS.—I know they come to Halifax to be shipped to London from December 15 right on.

The WITNESS.—I could not say just exactly. I know that at the places I have mentioned the live lobster trade predominates.

By Mr. Crosby:

Q. My anxiety to get at the proper size limit is due to the fact that Mr. Baker stated here that only one lobster in 100,000 would spawn at 8 inches, and, therefore it might be just as well to adopt the 7-inch size limit as the 8-inch?—A. Well, the answer is this, that there is a saving of over 8,000,000 lobsters as between the pack of 7 inches and 8 inches. That is, that it takes eight and three-quarter millions less of 8-inch lobsters to give a pack equal to that of 1907 than it would of 7-inch lobsters.

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Q. That, of course, is a very important matter, but I am speaking now of the continuation of the lobster breeding. Speaking more particularly of that, I suppose there would be a great advantage between the 8-inch lobster and the 9-inch lobster in the product?—A. In the 9-inch lobster you would have about 60 per cent and in the 8-inch lobster practically nil.

Q. The only advantage we would have by an 8-inch limit would be that of a greater product from the lobsters themselves for commercial purposes?—A. Certainly for commercial purposes.

Q. That is the only advantage. So far as the continuation of the lobster-breeding and the lobster industry are concerned, we would be practically in the same condition almost if we made a 7-inch limit instead of an 8-inch, excepting this, that we would have a larger product from the lobsters?—A. You would have probably eight millions of 8-inch lobsters that would have a chance to reach maturity and of reproducing itself in the next year.

Q. The possibility?—A. The possibility of that, whereas the 7-inch lobster would have a much longer period to go before reaching maturity.

Q. Of course, it strikes me, if we are to have a limit at all we should have one which will be conducive to the propagation of the lobster?—A. That is why I say 8 inches, because there is a certain small percentage of 8-inch lobsters that will produce eggs.

Q. It is a very, very small percentage?—A. But there is a percentage.

By Mr. Daniel:

Q. In the Bay of Fundy the limit is 9 inches, is it not—that is the lowest limit, it is 9 inches and 10½ inches?—A. Yes, Charlotte County is 9 inches.

Q. Hon. Mr. BRODEUR.—Except a certain portion of Digby County, in which it has been recently reduced?—A. In Digby County.

By Mr. Daniel:

Q. Can you tell me from your data whether the lobster is increasing in numbers there, or whether it is decreasing—what is the condition of the lobster industry in that locality where the size limit is 9 inches and 10½ inches? Can you tell me whether they are increasing in numbers or are diminishing and whether the size of the lobsters that are caught is more satisfactory as far as the size is concerned, and what is the proportion of those over 9 inches, and the proportion that are right down to the limit of 8 inches?—A. I am afraid, sir, I would not be able to answer that question, because that comes more into the work of the department over which Mr. Venning has charge. My business is to deal with the breeding.

The CHAIRMAN.—Mr. Baker, do you want to ask a question?

Mr. BAKER.—No, I would like to say that with regard to the idea of having a uniform season that it would wind up disastrously for the live lobster business inasmuch as every portion of the coast would be practically shipping live lobsters at the one time, that is the way we would get a glutted market. Whereas if the season is divided as it is at present there is very little possibility of that except during the month of May when every portion is shipping. For instance, if during the month of June the fishermen from Halifax south, were shipping lobsters, when the Cape Breton people started in they would practically get nothing for their lobsters. The market is extremely sensitive to the supply.

Mr. CUNNINGHAM.—My view was given entirely, as I say, from a fish culturist's standpoint. Mr. Baker is speaking from the commercial end of it.

Mr. MACLEAN.—Perhaps Mr. Cunningham you may want to say something else before you leave the question?—A. Yes, I may explain how the lobster hatcheries are worked, that is the reason why I brought this model here. I might say, gentlemen, that this building is about 75 feet long and about 30 feet wide. The hatcheries are all worked by machinery, with a boiler and pump pumping salt water all the time, from the time the hatchery is opened, say about the 1st of May until in some cases,

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the 1st of July, and in others the 15th of July. A lobster hatchery must be constructed on the sea shore with fairly cold water to ensure a supply of pure water of sufficient salinity. The water is pumped by machinery into an elevated tank, which is connected with the hatchery apparatus in the interior of the building. The building itself is about 70 feet long and 30 feet wide. On the sides of the building a battery is constructed, which consists of a water supply trough, and directly underneath this trough is a smaller one, which acts as a receptacle for the young lobsters, as well as filling the purpose of an overflow trough for the water. On the sides of these troughs shelving is placed for the purpose of holding the glass jars which are connected with the upper or supply trough with a tap and rubber hose, the water passing through this hose and a glass tube with an uneven bell-shaped end, with sufficient force to keep up an even motion of the eggs in the jar. The jar itself is about 12 inches high and 10 inches in diameter, capable of accommodating some 250,000 eggs. As the lobsters hatch they pass from the jar into the under trough, following the current to its end where they pass through rubber hose which is connected with the larger floor or receiving tanks. Here they are kept until ready for distribution, the time of retention being governed by the temperature of the water. The hatcheries are in operation from the beginning of May to July in each year. The capacity of the buildings are practically unlimited, as the jars can be refilled with eggs as occasion demands.

By Hon. Mr. Brodeur:

Q. How many eggs do you put in this jar?—A. One of these jars will work about 250,000 eggs. The jars are refilled with eggs from day to day. A jar is, for instance, filled to-day and if a large portion of the eggs that it contains are hatched out it will be refilled to-morrow.

Q. How much time does it take to hatch them?—A. That depends entirely upon the season. If it is an early season and the eggs on the lobster will have reached a further stage of development it does not take so many days to complete the hatching in the hatchery.

Q. Where do you collect your eggs?—A. From the different canneries. The owner or manager of the cannery selects a good man who takes the eggs from the female lobsters as they are brought in. We supply trays on which the eggs are placed. They are then put in boxes and kept in a cool place until the steamer calls for them.

By Mr. Jameson:

Q. Where are the lobster hatcheries at present located?—A. There are six lobster hatcheries in operation on the Atlantic coast, one located at Shippigan island, one at Shemogue, Westmoreland county; one at Bay View, Pictou county; one at Canso, Guysborough county; one at Charlottetown, P.E.I.; and one just completed at Georgetown, P.E.I.

Q. How long has the oldest of these been in operation?—A. The oldest hatchery in operation is the Pictou hatchery, which was established in 1891.

Q. Has any methodical system been adopted for ascertaining the results?—A. Inquiries have been made, and round the county of Pictou it has been stated that the lobster industry is to a very large extent dependent upon the output of the hatchery from Pictou—

By Hon. Mr. Brodeur:

Q. Will you please give the dates on which the other hatcheries were established?—A. Pictou 1891, Shemogue 1893, Shippigan 1904, Canso 1905, Blockhouse Point, Charlottetown, 1904.

Q. And Georgetown?—A. Georgetown will be in operation this year.

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By Mr. Jameson:

Q. Then the results have been satisfactory so far as your information goes?—A. So far as we can ascertain the result from every lobster hatchery that we have got has been very satisfactory.

Q. You are familiar with the Bay of Fundy I suppose?—A. To a certain extent, yes.

Q. Do you think that a hatchery or a pound would be more satisfactory in supplying the waters of the Bay of Fundy with young lobsters?—A. For the live lobster trade?

Q. No, for propagating?—A. If for the canning trade, establish a hatchery; if for the live lobster trade, a pound; because the close season where the exportation of live lobsters is going on is too early to allow a sufficient number of lobsters to have extruded their eggs. Consequently in cases where the live lobster trade exists a pound would be the best.

Mr. JAMESON.—There is a great rise and fall of tide there. Would that interfere with the pounds?

Hon. Mr. BRODEUR.—With the pounds, yes.

The WITNESS.—Of course, it would make it much more difficult to construct your pound, that would be about the only difference.

By Mr. Jameson:

Q. What hatchery have you now which is supplying the waters of the Bay of Fundy with young lobsters?—A. We have no lobster hatchery on the Bay of Fundy at present time.

By Mr. Maclean (Lunenburg):

Q. How do you propose to keep these pounds stocked with lobsters, in the same way that Mr. Baker does?—A. To a certain extent in the same way as Mr. Baker does, buying the berried lobsters from the fishermen and releasing them when the close season commences.

Q. What will it cost a year to operate?—A. We have nothing in the department that will show the details of the cost of collecting these lobsters. Mr. Baker is about the only one who has any information, of course, he has been doing it for the last five or six years, but we have nothing on file in the department which will show the actual cost.

By the Chairman:

Q. What would you say to buying berried lobsters from the fishermen and releasing them without going to the expense of putting them in the pound at all?—A. They would simply be caught over again by the next fisherman that came along.

Q. Some of them would?—A. Most of them.

Q. Then buy them over again, how would that do?—A. That would be a very expensive operation buying them over and over again.

Q. That is what they are doing in the United States, is it not?—A. No, they buy the lobsters there and keep them in the pound and then sell them.

By Hon. Mr. Brodeur:

Q. Have they government ponds in the United States, or are they private ponds?—A. I can find no reference to a government pond, they have their hatcheries, and they buy them in connection with the procuring of eggs for the different hatcheries.

By Mr. Crosby:

Q. Before leaving this question I want to ask in reference to the question of locating hatcheries. There you have hatcheries, now how were they located? What inducements were there to locate them at those points, what were the particular facilities?—A. Various sites were inspected and the location of those hatcheries in the past

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depended largely upon the location of the canneries. Where the lobster hatcheries are carried on and the eggs are collected during the fishing season, they must be located in the vicinity of a number of canneries, through which you can get the eggs. You see we do not do any lobster fishing ourselves, but depend very largely on the canneries for our supply of the eggs.

Q. That means that you locate the hatcheries as near the canneries as possible?—

A. That is, of course, consistent with the natural facilities for running the lobster hatchery.

Q. I had in mind a great basin that we have; I suppose you know the Bedford Basin at Halifax, where all the facilities of the Atlantic coast are to be found with perhaps the exclusion of as many sea-going fish as it is possible to find anywhere. There will be practically, not a total exclusion, but to a very great extent the sea-going fish will be excluded, and I had in mind the fact that a hatchery there would be perhaps more productive than at any other point by reason of the conditions?—A. The question is whether in the Bedford Basin the water is of sufficient salinity for the lobster. It takes $2\frac{1}{2}$ ounces of salt per gallon for the lobster.

Q. We have just as much salt as there is in the ocean?—A. Of course, in a place like that the hatching facilities would be affected by the fresh water.

Q. I was going to suggest to the Minister whether it would not be worth while for one of the men in his department to investigate that, I do not know very much about it, but my idea is that the production from a hatchery in Bedford Basin would be very much more protected from the natural enemies of the young lobster while at the same time it would have all the facilities that it would have in any part of the ocean.—A. Where would you get your eggs around there?

Q. You would get your eggs along the coast. While there are no canneries in the immediate vicinity, we could get them elsewhere.

Mr. MACLEAN.—Where?

Mr. CROSBY.—My friend knows how quickly he can get to Halifax from Lunenburg.

Mr. MACLEAN.—You could not possibly do it; it isn't practicable.

Mr. CROSBY.—There are plenty of places within a short distance whence you could bring the eggs in by steamer very quickly.

Hon. Mr. BRODEUR.—How far is Bedford basin from the sea?

Mr. CROSBY.—The entrance of Bedford basin would not probably be more than four miles from the sea.

Hon. Mr. BRODEUR.—Not more than four miles?

Mr. CROSBY.—I do not think it will be very much more—four or five miles.

Hon. Mr. BRODEUR.—We will look into that; I will have Mr. Cunningham find out about it.

By Mr. Fraser:

Q. You have one hatchery established in Prince Edward Island?—A. Yes.

Q. Has that given satisfaction?—A. It has been giving very satisfactory results so far. I have the last report which we received from the officer in charge of that establishment; it has not been published yet—

Hon. Mr. BRODEUR.—You can give it.

A. He says: 'I am pleased to say that the packers report that small lobsters were never so plentiful as this year. They give as a reason for the scarcity of spawn that the lobsters were too young. The eggs hatched out in good condition and the cannery men state that the lobsters were never so plentiful as since the hatchery has had a chance to operate.

Q. You have another hatchery at Cariboo?—A. Yes that is the Pictou hatchery.

Q. Are you aware where the young lobsters go to after leaving the hatchery?—A. Many of them drift over with the tide to Prince Edward Island. If the result from one hatchery is good, it should be good from another.

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Q. I think the Blockhouse hatchery is a little too far inland; it is away up Hillsborough bay.

Hon. Mr. BRODEUR.—Do you think those lobster hatcheries are doing some good there?

Mr. FRASER.—Yes, I think they are, I think we are getting more from the Cariboo hatchery than from the Blockhouse hatchery; at least, that is the opinion on the island?—A. The information that we have from the packers all over, wherever we have hatcheries established, is that they are doing a great deal of good for the industry, and I think I may say that in talking with Mr. Baker, after the last meeting—he did not state it when giving evidence—but he spoke very highly of the lobster hatcheries. Am I right in stating that, Mr. Baker?

Mr. BAKER.—I think the lobster hatcheries are a necessity, and that they do a large amount of good, but there must be a great mortality among the embryo lobsters between the time they are taken from the hatcheries and the time they reach the open sea?—A. My information from the officer in charge is that they reach the water in good condition. I am sure I do not see why there should be a greater mortality from the distribution of artificially hatched lobsters than among those hatched naturally.

Mr. BAKER.—The only difference is this, that with the artificially hatched lobsters there is a great change takes place, it must be, from the time it leaves the hatchery until it is deposited in the sea. On the other hand, when taken from the lobster pound the embryo lobster does not leave the water at all, he is hatched under natural conditions, and pursues his way to the sea under natural conditions. Of course, I am not conversant with the subject of artificial hatching; I believe it to be a very good thing, but I believe the pound is a better process?—A. The natural process of reproduction is certainly better than artificial, that holds good in everything. But the percentage hatched by artificial means will, or should, more than make up for the loss in mortality as between artificial and natural.

Mr. BAKER.—The artificial hatch, I understand, is 95 per cent of the eggs; am I right?

By Hon. Mr. Brodeur:

Q. Just one point which I think has not been brought out during this investigation. You have been trying to propagate lobsters on the Pacific Coast?—A. Yes, sir.

Q. When did you start this experiment?—A. There have been three shipments of lobsters to British Columbia.

Q. When were the shipments made?—A. The first one was made about five years ago, the second, I think, three years ago, and the last one last year.

Q. What was the result of the two first shipments?—A. We have had no results from the first two shipments, that is there have been no extended arrangements made to gather data concerning them. The shipments, of course, were small and the coast is large. The lobsters would naturally spread all over the coast, and it was very difficult to know exactly what was accomplished.

Q. Where you in charge of those shipments?—A. No, sir, only the last shipment.

Q. The two first shipments were not made under your direction?—A. No.

Q. So far there as been no result from the first two shipments?—A. No, sir.

Q. What about the shipment made last year?—A. Regarding the shipment made last year, the lobsters were taken to British Columbia and placed in crates. They were kept in these crates for periods of from six weeks to about five months, to ascertain in the first place, if climatic conditions would allow the lobsters to survive there. At the end of the first three months about two-thirds of the lobsters were distributed in perfect condition. At the end of five months the balance were distributed, and at the present time we are making some attempts to see what has been the result since the liberation.

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Q. They have been delivered in good condition?—A. They have been delivered in good condition, the best condition.

By the Chairman:

Q. Would you favour some actual experiments to ascertain how long it takes a lobster to mature and what the actual results are from our hatcheries?—A. I may say—

Q. Do you think it is practicable?—A. I may say that Mr. Venning and myself were discussing that point the other day, and a memorandum is now in course of preparation to be put before the Minister.

Mr. MACLEAN (Lunenburg).—You ought to have an experimental station.

By the Chairman:

Q. There is no way then that you could mark a lobster that you know of?—A. Not unless you caught him between the time of liberation and the time of moulting, before he shed his shell. So you see it would be pretty hard to tag the lobster.

I would like to say with reference to the collection of our eggs for the various lobster hatcheries, that a suggestion might be made that would be an improvement in that direction, and it is this: Under existing arrangements the manager or owner of a cannery appoints a man whose business it is when the berried lobsters are brought to the cannery to remove the eggs. The lobster so treated becomes the property of the owner of the cannery, and it goes into the boiler and becomes part of the commercial product. In that way we are taking the eggs from that matured lobster and getting no further use of her at all. Suppose her to be five years old. It takes five years for the progeny removed from that lobster to reach the same size as the parent. I would suggest that instead of continuing that process, we should buy the female or the berried lobster from the fisherman, remove the eggs by an officer of our own placed at the cannery, take the eggs to the hatchery and retain that female lobster in pound, or in crates if possible to do it, and liberate her when the close season commences. By that means we shall have a man who would give his time to see that the regulations were enforced at the cannery and perhaps two or three adjoining canneries, the fishermen would receive his money for the female lobster, and the industry would benefit from the results to be obtained from the liberation of that lobster, as well as from the hatching artificially of the eggs taken from her. As it is now the female lobster produces her eggs and goes to the cannery and we get no further use of her at all.

Q. Do you say that the removal of the eggs does not injure the health of the lobster, she is not destroyed? It has been stated that this kills the lobster?—A. Not if properly done. The eggs can be removed from the lobster without her being injured if properly done.

By Mr. Kyte:

Q. Who will remove those eggs?—A. Who will remove them?

Q. Yes?—A. An officer of the department who would be appointed for that purpose.

Q. I would imagine that would be an important matter?—A. Certainly it would be a most important matter. You protect the eggs and you protect the female lobsters. As it is now you protect the eggs and lose the lobsters.

By Mr. McKenzie:

Q. You have now seven or eight hatcheries altogether?—A. Yes we have five lobster hatcheries in the lower provinces.

Hon. Mr. BRODEUR.—Six.

The WITNESS.—Six, with the one in course of construction.

Hon. Mr. BRODEUR.—At Georgetown.

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By Mr. McKenzie:

Q. Would you think it good policy to have a pound or hatchery at every canning centre in Nova Scotia and New Brunswick, which are the only provinces in Canada, I believe, where the lobster is produced? Do you consider it good policy to have a hatchery or pound, as may be deemed best, at these centres?—A. Yes, sir. I think it would be better that we should have a larger number of lobster hatcheries, not large lobster hatcheries, but small ones and a greater number. There are seasons when you cannot fill a hatchery with eggs; there are other seasons when you can fill it up. It is better that a small establishment should stand idle than a large one, from motives of economy.

Q. How long have you been in the department in connection with fish-breeding?—A. I have been connected with fish-breeding since about 1888.

Q. Can you tell the committee whether the existing hatcheries were established by reason of the department itself reaching the decision that the place of location was suitable or by reason of requests coming from the different localities for the establishment of them?—A. They were established on the inspection of the several different localities. A report is made as to which locality and which site supplies the best natural facilities for the work to be carried on.

Q. Has the Antigonish and Inverness coast, that is on the Gulf of St. Lawrence side of Antigonish County, Cape Breton, been investigated with a view to the establishment of any lobster pounds or hatcheries there?—A. I do not remember any request having come in for a lobster hatchery in that section until recently.

Q. You are aware that is a lobster producing territory?—A. Yes.

Hon. Mr. BRODEUR.—Who made that request?—A. Dr. Chisholm.

By Mr. McKenzie:

Q. Dr. Chisholm has made that request recently?—A. Yes.

Q. Is there a different season between the Gulf and Cape Breton Island on the Atlantic side?—A. The season from Halifax Harbour east to Red Point, Cape Breton, does that cover the district?

Q. The district I speak of would be the district on the Gulf of St. Lawrence.

Hon. Mr. BRODEUR.—That is the next district?—A. That is from the 1st of May to the 31st of July.

By Mr. McKenzie:

Q. What does that cover?—A. 'Red Point, northwardly to Cape St. Lawrence, Cape Breton Island, as well as Anticosti Island and North Shore, Gulf of St. Lawrence, part of Richmond, Cape Breton and Victoria.'

Q. There is no pound or hatchery now anywhere on the eastern side of Cape Breton except Mr. Baker's pound?—A. That is all, sir.

Q. And the whole shore around Richmond County and on the Gulf of St. Lawrence, I think, and the east of Cape Breton is a lobster-producing territory?—A. Yes.

Q. Have you ever investigated those shores with a view of ascertaining the best place for a pound or a hatchery? That is taking the whole coast around Cape Breton, the northern and eastern side of the island?—A. No, there has been no special inspection made there with that in view.

Mr. MCKENZIE.—Well, with Dr. Chisholm, I would like to file a request with the Minister that that be done.

Mr. CUNNINGHAM.—Gentlemen, there is one thing that I would like to bring up, with the permission of the Minister, and that is this, it must be apparent that with these lobster hatcheries, as with anything else, the success of the hatchery depends very largely upon the man who is in charge of it. The men who are in charge of the lobster hatcheries should be educated men, intelligent men, and men who take a thorough interest in their business; men who are not satisfied just to hatch out the

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lobsters and distribute them, and whose interest then ceases, but men who will follow it up and be able at any time to give the department all the information needed in the direction you have been speaking of. Our officers may now be of a little higher grade than many that we have had, we are educating them and they are, I must say, much improved to what they were.

By the Chairman:

Q. What do you pay them?—A. \$3 per day for the time the lobster hatchery is in operation.

By Mr. Crosby:

Q. How long is that?—A. That is a period, roughly speaking, of three months.

By the Chairman:

Q. What would you suggest?—A. I would suggest, sir, that we give these men an annual salary, say of about \$400 a year to start with, that would only increase the cost of the hatchery about \$60 a year, and we would then have an officer that we could utilize for other purposes, and a man who would take interest in his work all the year round. As it is now they only take an interest in it for the number of days they are drawing \$3 a day, and I think by having good officers, and we can get them by the means that I have stated, that the lobster industry will have a brighter outlook than the general circumstances tend to at the present time.

Hon. Mr. BRODEUR.—We have some officers by the year now?—A. No sir, they start when the hatchery commences and they get \$3 for every day.

Q. But we have some officers who were appointed by the year?—A. Oh yes, but I am speaking only of the lobster hatcheries now.

WITNESS retired.

Committee adjourned.

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COMMITTEE ROOM No. 32,

HOUSE OF COMMONS,

TUESDAY, March 23, 1909.

The Select Standing Committee on Marine and Fisheries met at 11 o'clock a.m., the Chairman, Mr. Sinclair, presiding.

The CHAIRMAN.—The Minister of Marine and Fisheries desires to ask Mr. Venning some questions before we call the other witnesses who have been summoned for to-day.

Mr. R. N. VENNING, Superintendent of Fisheries, called, sworn and examined.

By Hon. Mr. Brodeur:

Q. What is your present position?—A. Superintendent of Fisheries.

Q. How long have you been in the Department of Marine and Fisheries?—A. I have been in Ottawa since 1873.

Q. What position did you occupy when you first entered the department—that of ordinary clerk?—A. That of ordinary clerk.

Q. Your father was in the service?—A. He was Inspector of Fisheries for Nova Scotia and New Brunswick at confederation.

Q. So you have been bought up?—A. Somewhat with the fisheries.

Q. To a large extent with the fisheries?—A. Yes.

Q. You have also been Assistant Commissioner of Fisheries; when were you appointed to that position?—A. In 1903 I got that title.

Q. And Prof. Prince was then Commissioner of Fisheries?—A. Yes.

Q. At one time the Department of Marine and Fisheries had two deputy heads?—A. Yes.

Q. Will you tell us when that was done?—A. By Act of parliament, 47 Victoria, chapter 18, April, 1884.

Q. Then at one time there was a Deputy Minister for Fisheries and a Deputy Minister for Marine?—A. Yes, two departments were constituted by that Act—

Q. Under the same minister?—A. Yes, one to be called the Department of Marine, the other the Department of Fisheries.

Q. When was that organization terminated?—A. In 1892, and the departments were combined under one deputy. The then incumbent of the office of Deputy Minister of Fisheries was superannuated and Prof. Prince was appointed as scientific adviser to the Fisheries branch.

Q. And Commissioner of Fisheries?—A. And Commissioner of Fisheries.

Q. Was Prof. Prince in the department before that time?—A. Not before his appointment; he was brought out from the old country.

Q. Who was Deputy Minister of Fisheries from 1884 to 1892?—A. Col. John Tilton.

Q. And he was superannuated in 1892, you said, and the departments combined?—A. Yes.

Q. Or rather the two branches of the department were combined?—A. I might say, if I might be allowed to make an explanation, that the records, the books and the staffs have always been just as separate comparatively. We have our own books,

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our own registry, our own correspondence branch—everything complete, and always did have.

Q. For example, the records of the department are divided?—A. Into two separate branches.

Q. Into two sets?—A. The Marine and Fisheries branches have always been kept separate.

Q. The same with the accounting?—A. Yes, with the accounting. Of course, at one time we had a separate accountant, but afterwards we had a man in the Marine and Fisheries Department who looks after the accounts of the Fisheries end of the department.

Q. That man is Mr. Gilbert?—A. Yes, Mr. Gilbert is doing the Fisheries accounting work. Of course, he is an officer of the Accounts' Branch.

Q. He looks after the accounts of the Fisheries branch?—A. Of the Fisheries accounts and the Fisheries Protection vessels' accounts.

Q. The Commissioner of Fisheries and the Assistant Commissioner confer directly with the Minister of Marine and Fisheries, do they not, in most cases?—A. It used to be so, absolutely, at confederation. When Mr. Witcher was Commissioner of Fisheries he had absolutely all the Fisheries work, conferring personally with the minister on all occasions. Of course, after there was a separate deputy it was also distinct, but after the amalgamation in 1892, the work went more through the deputy than it ever had done before.

Q. These questions, Mr. Chairman, are perhaps not absolutely germane to the subject under discussion, viz., the lobster question, but in view of some questions which were previously put concerning the general organization of the department you will perhaps excuse me for questioning the witness on the same line?—A. I should have said that recently I have been consulting you on Fisheries matters.

Q. Is it not a fact that all questions of marine referred to the minister come direct through the deputy minister, but that upon technical questions affecting the fisheries the commissioner of fisheries confers directly with the minister?—A. Yes, with the minister.

Q. And the assistant commissioner does the same?—A. And the assistant commissioner too.

Q. You said that Prof. Prince had been looking after the scientific work of the fisheries branch. This year you have been more especially looking after the administration of the fisheries branch of the department?—A. Since 1895 Prof. Prince has devoted himself to outside work, especially to commissions and marine biology. I had all the international questions which arose as well as the interprovincial and the intercolonial questions: the bait difficulty with Newfoundland, the Behring Sea question, the Eastern fisheries question, and the difficulties with Russia over the seal fishery. Those I had absolute control of at one time. I had nothing else but those when they were most acute and I was taken from the routine fisheries business and put in charge of them.

Q. But since the decision in the Behring sea matter.—A. Since then I have been doing—

Q. You have been doing administrative work in the department?—A. And the other work as well.

Q. And Prof. Prince has been looking after the scientific part of it?—A. More particularly so since the fall of 1905. Of course, recently you have given me that work wholly.

Q. And a month or two ago a memorandum which has been read and filed was issued giving instructions from the minister to your branch of the service?—A. Yes, giving me the administrative work of the fisheries branch.

Q. Prof. Prince has been appointed International Commissioner under the Treaty of 1907, with the United States, and is supposed to devote the most of his time to the

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framing of regulations under that treaty and to certain other commissions appointed for the purpose of investigating the fisheries of different parts of the country?—A. That is my understanding of the way we are working now.

Q. He also gives his attention to the subject of biology. Coming to the question of lobsters, there was a commission appointed some years ago for the purpose of making inquiries into the lobster fishery generally and for the purpose of suggesting regulations for the preservation of that important fishery?—A. Yes, in 1898.

Q. That commission was composed of how many men and what interests did they represent?—A. The commission was composed of eight commissioners besides the Chairman, Professor Prince, and they were supposed, I understand, to represent different sections of the country.

Q. They were supposed to represent also the interests of the canners and the fishermen?—A. I do not know particularly that there was any actual representation in that sense. I think they were supposed to represent geographical areas, touching the whole of the lobster industry. I cannot say just now that there was any particular scheme of representation.

Q. Will you state the name and residence of each commissioner?—A. Mr. Nickerson, Clark's Harbour.

Q. In the western part of Nova Scotia?—A. The western part of Nova Scotia. Mr. Whitman, I think, of Canso.

The CHAIRMAN.—No, Guysborough.

The WITNESS.—Mr. Levatte, Cape Breton; Mr. Galant, Prince Edward Island; Mr. Patrick J. Sweeney. Mr. Sweeney I think was a Shediac man.

By Hon. Mr. Brodeur:

Q. For the northern part of New Brunswick?—A. Yes; for the Gaspé coast, Mr. Robert Lindsay, of Gaspé. The others were Archibald Currie, Prince Edward Island, Donald Campbell.

Q. From where?—A. Inverness, I believe.

Q. So there was one commissioner from the Baie de Chaleur, and the northern part of New Brunswick, two from Prince Edward Island, two from the Island of Cape Breton and one from—?—A. Gaspé county.

Q. One from the Guysborough district and one from the western part of Nova Scotia. Was there no one from the Bay of Fundy district?—A. No one from the Bay of Fundy district.

Q. I thought there was one. Well that commission made its report and recommended the dividing of the maritime provinces into districts as far as close seasons and size limits are concerned did they not?—A. Yes.

Q. How many close seasons were suggested?—A. The commission suggested five.

Q. Will you show upon the map those different close seasons?—A. If you will trace the whole gulf shore of the St. Lawrence, the island of Anticosti, the Magdalen Islands and the Atlantic coast of Cape Breton Island from Cape North to St. Peters, you will find that one section with an open season extending from the 1st of May to the 1st of August and a size limit of 8 inches.

Q. Yes?—A. Then if you will trace from the boundary line of Passamaquoddy Bay, Charlotte county, the whole way round the coast of the Bay of Fundy, down the Nova Scotia side and round the western coast of Nova Scotia to Halifax harbour you will have another section with an open season from the 15th December to the 30th May and a size limit of 9 inches. Then take D section which consists of that little piece in the Northumberland Straits between—

Q. Between Cape Traverse and Summerside?—A. Yes, that is from May 25 to August 10. There was a recommendation for this section of a size limit of 7 inches but it was never carried out, 8 inches was the minimum. Then from Halifax harbour to St. Peters, Cape Breton, April 1 to June 30, size limit 8 inches, and the rest of the coast of New Brunswick, along Prince Edward Island and a portion of Nova

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Scotia and along the Straits of Northumberland there was an open season from April 20 to July 10 and an 8-inch size limit.

Q. That was the report of the commission?—A. Yes, that was the report of the commission.

Q. Will you say if the regulations based upon that report were different from the report itself and in what the difference consisted of?—A. Well the report, of course, became the subject of consideration between the chairman and the minister and a set of regulations which is really the basis of existing regulations was made. Since then there has been some few changes in some of the districts, for instance around the Bay of Fundy and Magdalen Islands.

Q. State the nature of the regulations which were then passed and the number of close season districts that were formed?—A. At that time?

Q. Were there more than five?—A. I have only got the revised regulations.

Q. Which were passed?—A. Yes, and they do not go into the different stages. This is not exactly a revision it is a compilation.

Q. But the revised regulations of last year were based upon the regulations which were adopted after the report of the commission of 1898?—A. As well as any changes which have been made in the meantime.

Q. Since these consolidated regulations have been put into force have any changes been made. If so, state what the changes are?—A. The only change since the consolidation of the regulations was the change in St. John county.

Q. Then there have been no changes in the close season districts?—A. Not in the close season district.

Q. Were not these close season districts generally approved or accepted by the interested parties?—A. They have been. We have had very little complaint against the geographical distribution.

Q. You say very few complaints have been received?—A. I might say scarcely any.

Q. Now as to the size limit, how many sizes were determined upon by the regulations of 1898 or by the consolidated regulations??—A. Ten and a half inches, nine inches and eight inches.

Q. The ten and a half inches size limit was established in the Bay of Fundy?—A. In the Bay of Fundy. In the district bordering on the counties of Kings and Annapolis the size limit is 10½ inches, nine in St. John and Charlotte counties, New Brunswick, and nine in Digby county except in the Bay of Fundy portion where it is ten and a half inches. In Yarmouth county, and around the Atlantic coast to Halifax harbour nine inches; Halifax harbour to East Point, Cape Breton, eight inches; Red Point northerly to Cape St. Lawrence, Cape Breton, eight inches. All the rest of the coast is eight inches.

Q. The lobster trade was divided into two sections, was it not?—A. Yes, into the canning interest and the sale of live lobsters.

Q. The size limits which you have just been giving have they any relation to either of these divisions?—A. Yes. For instance, the size limit in the Bay of Fundy is largely determined by the fact that very little, if any, canning is done there, whereas there is a considerable trade in live lobsters with the New York and Boston markets. Along the western coast of Nova Scotia also the 9-inch limit prevails and that is due to the fact that there is a large trade in live lobsters going on with Boston.

Q. Is there any great difficulty in carrying out the regulations in the districts where the live lobster trade is in operation?—A. Not so much as in the canning districts, they are more easily handled.

Q. There is no difficulty in carrying out the regulations in regard to the close seasons for example?—A. No, in regard to the close seasons we do very well.

Q. Generally the lobster canneries are closed with the close season?—A. That is true. Comparatively speaking there is very little violation of the law. We have broken up thousands of traps on the coast that were set out of season.

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Q. A great deal has been said with regard to the lack of observation of the lobster regulations. Is it with regard to the size limit regulations that the observance has been more or less lax?—A. The size limit, of course, presents the greatest difficulty and trouble to the department and its officers. There are a great many different views taken with regard to this question. I think I may say it is a fact that the size limit is not really enforced as it might be or could be.

Q. In the districts where the lobsters are canned?—A. Yes.

Q. Do you experience the same difficulty in the districts where the live lobster trade exists?—A. No, we can readily carry out the law with regard to those districts. I might explain that the position of the canner is that unless he buys from the fishermen all that the fisherman brings him the latter will sell his lobsters to somebody who will buy them, and the fisherman will not give the canner legal lobsters unless he takes all he has. It is putting one against the other. The lobster packer says he is compelled to buy small lobsters and the fisherman won't sell them unless he gets the packer to take them all. So that, of course, the lobster packer is the man to look after to strictly enforce the law.

Q. Could you give the committee statistics showing the value of the lobster trade in the different parts of the maritime provinces?—A. I could give you some statistics.

Q. Could you give us them by counties?—A. I have got the figures by provinces but I can give them to you by counties afterwards. I have prepared a statement covering a period of 11 years. The reason for taking that period is that it comprises the year prior to the 1898 lobster commission regulations and the next 10 years up to 1907. We have not got the statistics for any later period than that.

Q. Please give the committee the figures you have?—A. Before doing so, I might say that I do not take the pessimistic view that a great many people are taking with regard to the lobster fishery. I do not consider that the lobster fishery is anything like destroyed and I do not think it is within reasonable reach of destruction. I do appreciate that probably the time has come when the most persistent effort should be made to continue to preserve the lobster industry; but that the fishery is a thing of the past and that we have now to take some very drastic measures to bring it back to life again does not seem to be at all a correct view, in my opinion. I think the figures which I am about to read will substantiate that view. The pack in 1897 amounted to 11,130,554 cans. The live lobster trade was 251,831 cwt. In 1898 the pack amounted to 10,732,594 cans.

By the Chairman:

Q. One pound cans?—A. One pound cans. The live lobster trade in that year was 348,354 cwt; in 1899, 10,495,610 cans and 154,598 cwt. live lobsters; in 1900, 10,548,291 cans and 189,139 cwt.; in 1901, 10,056,604 cans and 164,195 cwt.; in 1902, 9,350,121 cans and 142,034 cwt.; in 1903, 10,604,158 cans and 109,527 cwt.; in 1904, 10,762,288 cans and 111,048 cwt.; in 1905, 10,497,624 cans and 154,014 cwt.; in 1906, 10,104,764 cans and 101,370 cwt.; in 1907, 10,660,570 cans and 97,490 cwt.

By Mr. McKenzie:

Q. The cwt. in each case means the weight of live lobsters?—A. It refers to the live lobster trade. There we have a period of 11 years, and in each case the figures amount to about ten millions, in one case amounting to over eleven millions.

By the Chairman:

Q. Have you any figures showing the increase in the quantity of gear used, that would be important, would it not?—A. Yes, that would be. I have a statement here of the number of canneries operated and traps fished in Canada from 1897 to 1907, inclusive.

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Q. How do the numbers of traps correspond?—A. The total number of canneries operated in 1897 was 731 and the traps numbered 1,156,352. Eleven years afterwards, in 1907, the total number of canneries operated was 685 and the number of traps 1,340,731. So the statement that there is 10 times the gear used than formerly, and all that sort of thing, is not correct.

By Mr. Maclean (Lunenburg):

Q. How did you get those statistics?—A. We got them from the canneries and from our officers. The lobster statistics are probably the most reliable we get.

By Mr. McKenzie:

Q. Is there an increase there and how much is it?—A. There is an increase in the number of traps from 1,156,352 to 1,340,731, an increase of about 200,000. There is an increase of that number only in 11 years, whereas we were told that there is 10 times the amount of gear now in use compared with formerly.

By the Chairman:

Q. Has the number of fishermen decreased?—A. I could not tell you whether the number of fishermen has decreased or not. The difficulty about getting the number of lobster fishermen is that everybody is a lobster fisherman. The farmer fishes, and apparently everybody in the neighbourhood. I dare say there are more people fishing lobsters than there used to be.

By Mr. Maclean (Lunenburg):

Q. The important thing in connection with these figures would be the total amount invested and the fact that the cwt. was made up of smaller sized lobsters than was the case 10 or 12 years ago?—A. Yes, that is a fact. It is very singular, but if you take Prince Edward Island, I am told by those who know what they are talking about, or should know, that as a matter of fact, larger lobsters have been caught on the coast of Prince Edward Island during the past five years than were taken five or ten years ago.

Mr. WARBURTON.—That is on the north shore, I think, Mr. Venning?

The WITNESS.—Yes, I believe so, but generally speaking the information is correct. Now, take Prince Edward Island, and that is a place which is probably more fished than any other section—the Island is probably more fished for lobsters than any other single place on the coast except perhaps one county in Westmoreland—I am going to read the figures from 1897 to 1907: 1897, 2,466,682 cans; 1898, 2,342,020 cans; 1899, 2,421,444 cans; 1900, 2,223,712 cans; 1901, 2,386,070; 1902, 2,039,603; 1903, 2,335,400; 1904, 2,501,100; 1905, 2,182,624; 1906, 2,289,288; and the last year for which we have any statistics, 1907, 2,839,489. The last year was the largest of the eleven. If we take the province of Nova Scotia there is a small falling off. Nova Scotia began in 1897 with 5,214,266 and in 1907 the pack was 4,270,346.

Q. Give the figures for Nova Scotia according to the different districts?—A. I can go through the report and do that.

Hon. Mr. BRODEUR.—Can you compile a statement by counties?

Mr. TODD.—If you do, please don't confine it to Nova Scotia.

The WITNESS.—I think I can do that.

By Mr. Maclean (Lunenburg):

Q. I think it would be more interesting to have it by districts than by counties?—A. I can give it in that form.

Hon. Mr. BRODEUR.—Do you mean by close season districts?

Mr. MACLEAN (Lunenburg).—Yes.

Hon. Mr. BRODEUR.—According to the close season?

Mr. MACLEAN (Lunenburg).—By districts, yes.

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By Hon. Mr. Brodeur:

Q. Will you please prepare the statement that way?—A. By districts according to the close season? Yes, I can do that.

By the Chairman:

Q. This information will be correct because you got it from the canneries?—A. We got it from the canneries and I think we can rely more upon the lobster statistics than any others.

Q. Do the canners make sworn return?—A. I don't know that the returns are sworn to but they are got accurately from the canneries.

Q. Are these cases stamped under the present system?—A. Yes.

Q. Is that any check upon the number of cases?—A. The stamping, yes.

Q. Then we have a check on the number of cases?—A. Yes.

By Mr. MacLean (Lunenburg):

Q. You are Commissioner of Fisheries are you not?—A. No, I am the Superintendent of Fisheries and have been doing the executive or administrative work of the Fisheries Branch for some time.

Q. It may be a little removed from our inquiry but do you think anything could be done to improve our annual statistics? Have you ever considered that?—A. We have not only considered it but there is a movement on foot to do it.

Q. That is very good? A. It is my intention this year to improve them very materially. If I will not be able to do it for the year just passed, certainly during the current year I will have the machinery at work which will materially improve our statistics.

Q. Then they will be in a more elaborate form?—A. They will be given in a more elaborate form and perhaps in bulletin, I don't know yet. I will have to get considerable help before I can perfect what I have in mind and what I have actually started.

Q. Are you adopting any particular system?—A. No, but I think I would extend our present plan or arrive at the details in such a way that it will be much better. I have also in mind better Fisheries Intelligence Bureau work which can be utilized for statistical purposes afterwards.

Q. In connection with what?—A. Catches along the coast and districts from time to time which might form, if we can work it up right the subject of bulletins from time to time assisting the fishery trade and forming afterwards the basis of a better class of statistics.

Q. Including also market quotations?—A. Things of that kind, yes.

Q. How long have you been in the Fisheries Department?—A. I came to Ottawa in 1873, I have been here ever since.

Q. Some years ago you were engaged in International matters were you not?—A. Yes, from about 1888. For about four or five years immediately following 1888 my time was nearly all taken up in connection with the International questions that had arisen in the Department over the Behring Sea question and seizures of sealing vessels by Russia.

Q. It would seem that no experimental work has been done in connection with the lobster in Canada?—A. Experimental work?

Q. What I mean is Prof. Prince has been here a good many years and as a scientific man there does not seem to be any reason why he should not take lobsters from the sea, say about 10½ inches in size, and follow up their habits and learn accurately things about the lobster that we do not at present know. We have no such experimental work at present have we?—A. We have not had that experimental work. I think it would have been better to have had it.

Q. Don't you think it would be valuable to have it?—A. Yes, I think it would.

Q. It would not be an expensive matter to carry out?—A. I might say in jus-

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tice to Prof. Prince, or anybody who may have had that work in hand, that it could be much more readily done now than ever before because the minister has been good enough to grant us some money during the last few years towards biological stations, where, as a matter of fact, I think they have really begun to make some investigations into the life of lobsters and sea fishes.

Q. You propose taking that up?—A. I propose discussing that question with Prof. Prince and trying to advance it as far as possible.

Q. I heard somebody make the suggestion yesterday that the life of lobsters depended very largely upon the depth of water along the coast, that where you find shallow water around the coast the lobsters are more easily captured and, therefore, the fishery more easily extinguished?—A. I have no scientific knowledge of that question but from general discussion—I have some knowledge on the subject—it does seem to be the prevalent opinion that the lobsters when they seek the shore are more readily taken, and that the lobsters some distance off shore are larger. Of course, the gear for catching lobsters in 20 or 30 fathoms of water would be somewhat different from that used in fishing in-shore.

Q. In Prince Edward Island where the waters along the shore are shallower than they are in Nova Scotia, the lobsters are more easily taken and consequently there has been a more pronounced diminution?—A. It might be so. I think notwithstanding what I have said here about the lobsters not being in any dire state of decimation, there has been a tendency for the lobsters to decrease, generally speaking, in size. You will find whenever you exploit any virgin fishery you will get a larger fish at first. That is necessarily so.

Q. But is there not a greater chance of that occurring in a place where the coast is shallow?—A. Without doubt.

Q. Than at any place where the water is deep?—A. Without doubt I should say so.

Q. Ought that not to be studied carefully because we may be attributing to other causes a decrease in the size of lobsters which may be due to this cause?—A. Yes, that would certainly be a subject for the consideration of whatever scientists take this matter up. I have had it advanced to me by people, who have lived all their lives on the coast that there are larger lobsters out in the deeper waters and that accounts for the supply being kept up as the smaller ones crawl in shore. Some lobsters have been taken very many miles out in deep water.

Q. You will get them off the Newfoundland banks?—A. Yes.

By Mr. Warburton:

Q. The very large lobster cannot get into the fisherman's traps.—A. No, not into the traps that are made now, that is to say the very large lobster.

By Mr. Maclean (Lunenburg):

Q. Has the importance of the food supply for lobsters been studied very much?—A. No, I do not think so, I do not think there has been any concerted action. Of course, the lobster is called a scavenger. It eats anything that is dead, anything that it can catch and the stronger flavoured the better for the lobsters they say. At all events they take old herring and use them for that purpose.

Q. What I had in mind was—A. The natural food?

Q. The want of some natural food in some parts of the maritime provinces might account for the absence of lobsters that people are attributing to some other cause. That would form part of the scientific researches we have reference to, and for which the Canadian government has never provided sufficient equipment, as has been done in the case of the United States Fish Commission. In the United States steamers and staffs of scientists are provided to go around looking into all these matters. Of course, naturally enough in this country we have got to begin in a small way. We

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have begun with a biological station, which has in hand some very important and most interesting investigations. They have commenced to study the lobster fishery at the station at St. Andrew's, which was taken up for a portion of last year.

Q. You mean biological work?—A. Yes, biological work is carried on at the station where the life history and the food of different marine animals is investigated.

By Mr. Todd:

Q. Is it not your opinion that in the summer season, when the lobsters come in-shore and are caught in shoal water the catch is larger than at other periods of the year?—A. I scarcely think so. I have been told in moving around amongst people closely identified with the lobster fishery that the early spring catches when really the water is not what you would call warm are really the best catches; that the lobsters are coming in then. There may be some fluctuation, but I don't think there is any particularly heavy run during the summer. I think the spring catch is always the best.

Q. The range of the lobster, as far as information goes at present, is only about 100 miles, is it not, and that lobster will change its location?—A. People talk about that, but I am not aware that they know so very much about it. I have heard the opinion expressed that the Magdalen Island lobster travels to Prince Edward Island, but I do not know that it has been proven by scientific research.

By the Chairman:

Q. Do the lobsters migrate from the shore in the winter time?—A. They go out into deep water.

Q. They go out to sea?—A. They go out from the ice.

Q. They do not leave the coast altogether?—A. No. They come in again.

By Mr. Fraser:

Q. Do I understand you to say that the catch of lobsters in Prince Edward Island last year was larger than in any previous year?—A. No, I did not say that. I say that statistics covering a period of 11 years show that the catch in Prince Edward Island was larger last year. I think I stated that.

By Mr. Warburton:

Q. In 1907 the catch was larger?—A. In 1907 the lobster catch in Prince Edward Island was larger than in any one of the 10 previous years.

By Mr. Fraser:

Q. Notwithstanding that the size limit has not been observed very particularly?—A. Notwithstanding all that the people can do to kill the lobster. That is quite true.

Q. Are you aware that on the southern and eastern coasts of Prince Edward Island the lobsters are smaller than on the north shore?—A. I know that has been stated on very many occasions. Whether it is absolutely correct or not I would not care to say at present.

Q. Do you know any reason they attribute for that?—A. No.

Q. I might tell the Committee that the people who live on the southern and eastern shores think this is owing to the small lobsters coming over from the Cariboo hatchery and the other hatchery on the southern side of the island?—A. I have never heard that so attributed, but inasmuch as you have raised the question I will say that when I went down to the maritime provinces in the fall of 1907 looking into the lobster business I heard from a great many people there that a very large number of small lobsters had been noticed on the coasts in the vicinity of the lobster pound

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and the lobster hatcheries, and that the fishermen attributed the presence of these little lobsters of almost uniform size entirely to the work of the hatcheries and the efforts at breeding the lobster.

Q. Well in 1907 was there any increase in the number of—

Hon. Mr. BRODEUR.—If you will allow me. In the western part of Prince Edward Island have you noticed the same thing there with regard to these small lobsters?

Mr. FRASER.—I have not heard, sir, I don't know.

Hon. Mr. BRODEUR.—Have you got any information about it, Mr. Warburton?

Mr. WARBURTON.—That is in Prince county. There are no hatcheries up in that end of the Island.

Hon. Mr. BRODEUR.—Take near Charlottetown?

Mr. WARBURTON.—They are catching a great many young lobsters in the neighbourhood since the hatchery has been established.

By Mr. Fraser:

Q. I was going to ask, Mr. Venning, if there was any marked increase in the amount of gear or the number of traps used in 1907 or in recent years?—A. In Prince Edward Island?

Q. Yes?—A. In Prince Edward Island in 1897 there were 216,133 and in 1907, 305,990. So you see there was an increase in the latter year as compared with the former.

Q. Has there been any marked increase in the number of licenses issued by the department?—A. In the numbers of canneries operated?

Q. Yes?—A. In Prince Edward Island in 1897 there was 220. The number of canneries operated in 1907, 11 years afterwards, was 184.

By Hon. Mr. Brodeur:

Q. A reduction?—A. A reduction.

By Mr. Fraser:

Q. What year did the regulations in regard to cannery licenses come into force?—A. There never was any regulation, Mr. Fraser, it was simply a policy which grew up as considered to be a necessity in the endeavour to keep the pack down.

By Mr. Maclean (Lunenburg):

Q. Is there not a regulation?—A. There is not a regulation providing that no further licenses shall be issued.

Hon. Mr. BRODEUR.—It is a question of departmental action.

The WITNESS.—It is the Minister's policy, it is in his power to refuse or grant a license. You asked how long ago it was brought into force. I should say that about 5 or 6 years ago it began to take actual shape.

By Mr. Fraser:

Q. Can you tell the Committee how many new licenses have been issued during the last four or five years?—A. New licenses for the last four or five years?

Q. Yes?—A. There has not been a new license for the last four or five years except quite recently.

By Hon. Mr. Brodeur:

Q. On the co-operative plan?—A. On the co-operative plan. Shall I explain that?

Q. Yes, you may?—A. Well the department took the ground that there were enough lobster factories being operated on the Atlantic coast and generally followed

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the policy of not increasing the number. There were many complaints made by the fishermen that they did not get fair treatment from the packers, that the packer fixed his price for lobsters, and that they could make more money out of their lobsters if they had the opportunity of canning them for themselves. Accordingly the Minister adopted the policy last year by which if a number of fishermen ranging all the way from 30 to about 15 chose to club together and ask for a license on the co-operative principle by which they agreed to share losses and profits alike, and to be allowed to take their lobsters and pack them the license to be held by one of their number named by the petitioners, that a license would issue to them. Of course, they represented they could not get their lobsters satisfactory packed in any other way and a few of this class of license were issued; but they contain a clause stating that if operations were not carried out on that plan the licenses would not be renewed and would be cancelled.

By Hon. Mr. Brodeur :

Q. In Prince Edward Island I do not think there are any fishermen's unions such as there are in Nova Scotia formed under the law?—A. There are three in Nova Scotia.

By Mr. Kyte

Q. Will you state where these licenses are?—A. There are two in Guysborough county and one in Queens county, two in Westmoreland, N.B., and in Prince Edward Island seven.

By Mr. Fraser:

Q. Are the persons who obtained these licenses supposed to be bona fide fishermen?—A. So far as it was possible for the department to ascertain through the reports which were invariably called for from our local inspector and officers on the spot. They have been represented to us as being bona fide fishermen and that their co-operative arrangement is bona fide also. The local inspectors have strict instructions—I gave them myself to each man—to follow up these licenses and see that they are operated in accordance with the terms upon which they were granted and they have to report immediately to the department.

By Mr. Warburton:

Q. I know some of these cases because the petitions were forwarded to me and I knew that a great many of the fishermen were bona fide men?—A. Yes, but notwithstanding that, the local inspector has instructions to watch carefully and see that there is no breach of the terms of the license otherwise the minister will cancel it.

Q. The year 1908 was the first year these licenses came into force?—A. The first year they were issued. There were so many complaints—in fact some of the complaints were that the fishermen could not get their lobsters packed at all by the canners, the canner would not take them and some fishermen lost their catch of lobsters because they did not have a license to pack them.

Mr. FRASER.—The minister stated awhile ago that there was no union in Prince Edward Island, I think there is one.

Hon. Mr. BRODEUR.—I mean incorporated under the law. Is there any?

Mr. WARBURTON.—Not incorporated.

Mr. FRASER.—I don't know whether it is incorporated or not.

Hon. Mr. BRODEUR.—What I meant was that in Nova Scotia they have got a law providing for the incorporation of fishermen's unions. Each union of this kind becomes a corporation by itself. I was not aware of any such law in Prince Edward Island.

Mr. FRASER.—I think the minister is right. I do not think there is any incorporated union in Prince Edward Island. They have some sort of a union there and

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I have a communication from the secretary of it, Mr. D. G. McCormack. This union have passed a resolution which they asked me to present to the committee. With the committee's permission I will now read it (reads): 'Resolved, That the enormous and increasing quantity of lobster fishing gear in our waters is ruining the industry. Therefore, resolved that this union petition the government to limit the number of traps to each factory.'

Mr. WARBURTON.—Where is it from?

Mr. FRASER.—It is signed by Daniel G. McCormack, financial secretary of the Fishermen's Union at Launching. That is near Georgetown on the eastern coast.

Hon. Mr. BRODEUR.—In your county?

Mr. FRASER.—Yes.

The CHAIRMAN.—Is that the practical proposal, Mr. Fraser, do you think?

Mr. FRASER.—I don't know.

Q. Have you received any such petition?—A. Nothing has come to me yet.

Hon. Mr. BRODEUR.—I am not aware of any but if any such petition did come to me it must have been referred to the Fisheries Branch.

The WITNESS.—I have not had anything yet.

Hon. Mr. BRODEUR.—Will you put the document on the file.

Mr. FRASER.—Yes, I will hand it in.

Q. Mr. Venning, you heard a witness say here that it took 9 lobsters to fill a can?—A. Nine 7-inch lobsters I think the witness said.

Q. What is the price of a can of lobsters, generally speaking?—A. I know that when I want to buy one I have got to pay 40 cents for it.

Q. Supposing you wanted to buy live lobsters?—A. If I wanted to buy one large lobster it would cost me about 25 cents a pound, perhaps 30. That is for a 9½ or 10-inch lobster it would cost me about 30 cents, perhaps more. I have not bought any this winter, but that was the price I had to pay for them last winter.

Q. If we were to get into the shipping of live lobsters from eastern waters to Upper Canada, do you think it would be profitable?—A. I think it would be profitable. I advocated with some of the canners that instead of boiling the lobsters as they do in canning them, they should go into such a trade as you speak of, but they do not land them here in a fit condition. You go to a grocery here and see half a barrel of cooked lobsters and they are all as they are taken out of the boiler with the scum on them and you cannot touch them with your hands. If you do you will need to wash your hands five or six times afterwards.

Mr. MACLEAN (Lunenburg).—Mr. Fraser is talking of the shipment of live lobsters.

By Mr. Fraser:

Q. Yes, the shipment of live lobsters?—A. Well, I think this market is not a good one for live lobsters. In the first place it does not occur to me that live lobsters brought to Ottawa would be in a good condition. Perhaps I had better put it this way; I prefer to have a boiled lobster, properly shipped from the place where it is boiled, than to have a live lobster sent to me to boil. A great many people do not agree with me in this, but my opinion is that an animal or fish that is taken out of its natural element and carried a long way cannot but be sick. That animal is cooked in that condition and cannot be as good as an animal that is cooked fresh out of the water. I think a good trade in lobsters could be developed if the lobsters were properly cooked and packed. They ought to be carefully boiled, carefully washed after boiling, packed in oil paper and put in boxes as is done with fruit, and sent up here in a clean condition. If that were done I think there would be a good trade.

By Mr. McKenzie:

Q. After they are boiled they require no particular measures to serve them?—A. I mean to say that at present they are dumped right out of the boiling pot with the scum on them.

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Q. I mean the way you spoke of?—A. All they would want is to be put in cold storage and they would keep as long as was necessary.

By Mr. Maclean (Lunenburg):

Q. We send live lobsters from Nova Scotia to Chicago and they even go as far as Cincinnati and Denver?—A. Yes, I have seen them sent from Boston to Denver. I have also seen them very lively in my office after having been 14 days out of the water.

By Hon. Mr. Brodeur:

Q. Do you not think that by means of the improved transportation system we are having carried out, live lobsters can be brought from the Maritime provinces to Montreal without any trouble?—A. They ought to be brought to Montreal without any trouble.

Q. Since you are on that point would you kindly explain what arrangements have been made for transporting fresh fish from the maritime provinces to the centres of consumption in Canada?—A. Yes, the department undertook a little while ago to improve the transportation of fresh fish.

Hon. Mr. BRODEUR.—Perhaps we might get a statement from Mr. Found on that subject.

The CHAIRMAN.—We will hear him a little later on.

Mr. MCKENZIE.—You had better take him after you are through with Mr. Venning.

The WITNESS.—I might say that in addition to the fast freight service which we have provided for we have arranged with the two express companies to give to the fishermen and the shippers of fish a regular express service at two-thirds of the regular rate. The companies collect two-thirds of the regular express rate from the fishermen or shippers, and the department guarantees and pays them the other third. This enables them to bring their fish into Montreal at \$1 per hundred pounds. Now, the best rate at which that can be done from the Boston market into Montreal is 80 cents with an added dollar per hundred duty, so that our fishermen can now land their fresh fish in Montreal at \$1 as against \$1.80 for United States fish. That is what our people have always been asking the department to do, to give them transportation at figures which would enable them to compete with the Americans and thereby retain the trade in our own hands.

By Mr. Maclean (Lunenburg):

Q. What is the duty on fresh fish going into the United States?—A. One cent a pound.

Q. On fish entering Canada, what is it?—A. It is one cent a pound on fish coming from the United States. Going into the United States Canadian fish have to pay \$1 a hundred.

By Mr. Todd:

Q. Shell fish are duty free?—A. I am now speaking of the transportation of fresh fish. Take the American caught halibut that comes from the Pacific coast. That halibut is landed in Boston \$20 a ton cheaper than Canadian fish because it has no duty to pay; whereas Canadian caught fish pay 1 cent per pound duty.

By Mr. Maclean (Lunenburg):

Q. Getting back to where we were before, the canning licenses are not issued to restrict the pack are they?—A. The canning licenses issued to restrict the pack. No, not altogether.

Q. It is just a regulation I suppose?—A. The lobster industry is the only industry in the east that we license.

Q. It is a regulation, it is not a restriction?—A. It is not to restrict the catch particularly.

Q. It is a restriction by way of regulation?—A. It is not exactly a restriction by way of regulation, it is a method of registration or method of control by regulation. I quite conceive it would be possible to have 10 huge lobster canneries to can all that a hundred canneries would can, but it would not save one lobster.

Q. You think it absolutely necessary to have a cannery licensed?—A. I think it is absolutely necessary to have canning licenses if we want to control the canneries.

Q. There should be sufficient to prevent the monopoly of course?—A. Yes, there should be.

Q. And not too many to create the reverse effect?—A. Yes, I think that is correct. If you take into consideration the fact that we have got 723 of them now there ought to be enough of them to prevent a monopoly.

By Hon. Mr. Brodeur:

Q. You might explain to the Committee what we have been doing lately in regard to those who have got the largest number of licenses?

By the Chairman:

Q. Do you grant any number of licenses to one man or one firm, any number they ask for?—A. Not any number they ask for, but some firms have a large number of licenses.

Q. You never restrict the number you give to one firm?—A. No.

Q. Do you make any investigation as to whether they use these licenses after you have given them?—A. Yes, we have done so.

Q. What is the result of that investigation, how many of these licenses are not used at all?—A. In 1908 in eastern Nova Scotia, inclusive of Cape Breton, there were six which did not operate. In the island of Cape Breton there were two.

By Mr. Kyte:

Q. Two new licenses?—A. No, two cannery licenses which did not operate.

By Mr. McKenzie:

Q. Where were they located?—A. I cannot give you the exact location of those on Cape Breton Island.

By Mr. Kyte:

Q. Have you with you the names of those to whom licenses were issued?—A. I can give you that information, but I did not bring it with me. Then in western Nova Scotia, that is from Halifax down, there were ten not operated.

By the Chairman:

Q. Is that all?—A. That is all.

Q. How many have been operated on a very small scale so as to hold the license? Have you found that some packers were packing a few cases, not operating in a business-like way, but simply to show that they had packed some cases?—A. Before I answer that question I want to explain that of the 18 companies which were not operated, the lobsters caught were packed in other canneries owned by the same licensees. We demanded that the lobsters should be packed to the satisfaction of the local officers and in a good many cases the local officer reports that as a satisfactory operation. That is they seem to think that if the same persons can the lobsters in one of their other canneries that it is not unsatisfactory to the people.

Q. Would you call packing 10 or 20 cases of lobsters a sufficient use of the license to entitle a man to get it renewed?—A. I would have to qualify that in some way.

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I think, Mr. Chairman, in some instances it might be. It would largely depend upon circumstances, largely depend upon the conditions in that particular locality.

Q. Can you tell us the number that is operated in that way?—A. No, I cannot.

Q. You would be able to find that information from your books do you not think?—A. No. We could get a statement of the number canned in each cannery.

By Mr. Maclean (Lunenburg):

Q. Have you got the number of the licenses in each county, say in Nova Scotia? —A. In Nova Scotia? Antigonish, 6 canneries; Cape Breton, 14; Colchester, 2; Cumberland, 38; Digby, 7; Guysborough, 30; Halifax, 21; Inverness, 18; Lunenburg, 7; Pictou, 21; Queens, 7; Richmond, 11; Shelburne, 24; Victoria, 16; Yarmouth, 14; total, 236. In New Brunswick, Charlotte, 4; Gloucester, 66; Kent, 47; Northumberland, 12; Restigouche, 2; Westmoreland, 59; total 190. Prince Edward Island, Kings, 54; Prince, 94; Queens, 55; total, 203. Quebec, Bonaventure, 11; Gaspé, 63; Gulf Division, 20; total, 94. Grand total, 723.

Q. What reason was there for having as many as 30 in a county?—A. I suppose the only reason would be the application for the licenses. Another reason would be I suppose that they were there before the license system was introduced.

By the Chairman:

Q. The length of the coast line would have something to do with it I suppose? —A. Yes.

By Mr. Kyte.

Q. How long has the department been issuing licenses to canners?—A. The department began issuing licenses under the Act of 1894.

Q. How long has the department been restricting the issuing of licenses?—A. I think that practically we have always been restricting it. I take it the minister has used his executive power either to refuse or grant. If the Act means anything if it gives the minister power to grant, it must give him the power to withhold. Perhaps I did not exactly understand your question.

Q. I take it at first any person who applied for a license, who was a bona fide canner, would get his license?—A. Yes, that is practically so.

Q. That was the practice of the department?—A. Yes.

Q. Well then some years ago you began refusing to grant licenses?—A. The department began restricting to some extent.

Q. When was that?—A. I think in 1903 or 1904 it began to develop. There was a kind of evolution of policy; it evolved itself. It began about 1903. In that year I should think it took form.

Q. And no license was issued to canneries?—A. No. You see at first there was a restriction but not an absolute prohibition of new canneries in the same instances, of course, the relative merits of the applications would be considered and some isolated ones might have been issued at first. But about four years ago, I should say, we absolutely refused to grant new licenses and now, as I explained, under the co-operative plan we have issued a few in 1908 and the present current year.

Q. And no exception has been made with respect to that policy since 1904 with the exception of these co-operative licenses?—A. No, excepting one license which was still a co-operative license to the Fishermen's Union in Queen county, N.S.

By the Chairman:

Q. Have you ever cancelled a license for non-use?—A. We have not.

Q. Would you favour doing that?—A. I gave directions to the inspectors to watch that and that if licenses were found not to be used I would recommend to the minister the consideration as to whether or not they should be renewed.

By Mr. Kyte:

Q. In the case of a license issued last year to a cannery that did not operate and application were made this year again what would you advise in respect to it?—A. I think I would have to qualify that too. It is a pretty drastic measure to refuse to renew a license. What I would do, of course, would be to get the best information I could from my Inspector of Fisheries or his local officer on the spot, and if the conditions were such as might warrant the refusal of the license or to give it to an applicant who had not been able to get one I think I might be almost prepared to recommend to the minister its refusal; but there might be other conditions upon which it would be practically prohibition or at least confiscation to do so. In each case I don't think I could give you a decided answer except in a general sense. I think each case would require to be carefully looked into.

Q. I suppose that should another person apply for a license in that particular locality who is prepared to carry on the canning of lobsters there it would have some effect upon your decision?—A. Yes, a very great effect, indeed, and I think it ought to have great effect upon the canner as to whether or not he operated his cannery.

Q. As a matter of fact you have not considered that question at all? You simply recommend every license that is asked for?—A. You say consider. We have been considering it for some time. As I say I have asked my officers to get me that information and report all such cases as that; but the minister has not yet cancelled, nor have I recommended the minister to cancel, a license for that reason.

By Mr. McKenzie:

Q. Are the licenses issued annually?—A. Yes.

By Mr. Turgeon:

Q. Have you any licenses in New Brunswick that were not operated last season?—A. No.

By Mr. Todd:

Q. How about the Island of Grand Manan?—A. There might be one but I have not got it here. If I might correct my answer I believe there is one on the Island of Grand Manan that was not operated.

By Mr. Fraser:

Q. Have you any knowledge of the practice of transferring licenses from one person to another?—A. Yes, we control the transfer of a license from one to another. It requires the minister's personal permission.

Q. To transfer a license?—A. For a man to transfer a license. We gave instructions a year ago to the Inspectors of Fisheries that if a man choose to buy a lobster factory without permission from the minister, or without being assured that he was going to get his license from the minister, he did it at his own risk.

By Hon. Mr. Brodeur:

Q. Will you explain why that policy was adopted?—A. The reason was this: there is a tendency in the lobster business, as in other businesses, to accumulate licenses which became practically monopolies in the hands of a few people. It was thought that unless that was a necessity it might prove better if some of these licenses were distributed among people who had been refused them and not retained in the hands of one or two particular operators. Therefore, the instructions were issued, with the minister's consent, that those who wished to transfer licenses would first have to receive permission from the department and we are carrying that out.

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By Mr. McKenzie:

Q. You have inspectors of canning factories have you not?—A. We have inspectors of fisheries a portion of whose duties is to inspect lobster canneries.

Q. I do not mean the higher class of inspectors such as the late Mr. Bertram was. What do you call those officers that inspect canning factories?—A. They would be called fishery guardians or fishery overseers.

Q. Is it a part of the duty of an inspector such as the late Mr. Bertram to visit the factories.—A. Part of his duties is to see that those factories are visited. If not visited by the fishery overseer, under whom there are again guardians, it would then be his duty to visit them. He might and did visit them in his capacity of inspector of fisheries, but, of course, he receives his reports, as other inspectors do, from the fishery overseers of the county. There may be two overseers or more in a county.

Q. What is the scope of jurisdiction of the overseer, what is he supposed to do?—A. Well a fishery overseer is a man with very large powers. He is an ex-officio magistrate or justice of the peace. He can correct on view and one of his functions would be to visit a lobster cannery and if he found the law being violated he could either cite the offender before a magistrate or he could inflict a fine himself on view.

Q. Does what you call violating the law have reference solely to the canning of seed lobsters or the small lobsters?—A. Violation of the law would be canning during the season which was not legal, canning small lobsters, or canning berried lobsters or soft shell lobsters.

Q. Those are the two things?—A. Those are four.

Q. Violations within the season, and possibly the canning of small lobsters or lobsters containing seeds?—A. Or a soft shell lobster, one which has just shed its shell and is not fit for canning purposes.

Q. It is not healthy?—A. It is ill just then, although, of course, it gets its shell formed again.

Q. Take the County of Victoria, how many officers are there in that county whose business it is to inspect the canneries?—A. We have John Campbell, of Halifax, who is on St. Paul's island; Duncan Gillies, who is at Baddeck; W. P. Moffatt, Cape North; T. P. Montgomery, Neil's Harbour; Alexander Morrison, Rocky Cove; Murdoch Macdonald, Bras d'Or; Angus Maclean, Ingonish; and Charles MacCrae, Middle River Brook.

By the Chairman:

Q. Now tell us how many there are in Guysborough?—A. There is John Davis and David Reid.

By Mr. McKenzie:

Q. You regard the duties of these officers as very important do you not?—A. Yes, I do.

Q. And that they should be watchful in respect to these canneries and ought to have a great deal to do with the law being carried out? They are the only officers that are really charged with the carrying out of the law in respect of canning and the season is about how long in Victoria county? How many weeks? From the 1st of May to the last of July is it?—A. The open season in Victoria is from the 1st May to the 31st July.

Q. I do not know whether it is a matter for this committee. What do you pay those officers for attendance on their duties during that length of time?—A. These fishery overseers whose names I have just read are permanent officials. They get very small salaries. Their salaries will average perhaps from one hundred to two hundred and fifty dollars.

Q. Are there not some as low as \$60?—A. There may be, I have not got the pay-list here.

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Q. You could not reasonably expect much attention from good men for the period of May, June and July for \$60?—A. Of course, they are also paid their legal travelling expenses. They do not incur a copper of expenditure which they do not get reimbursed to them and they possibly like the position even if the salary is small, some way or other. Of course, we could get better men who would devote a greater portion of their time if we were able to pay larger salaries, but we have a great many officers to appoint throughout the Dominion and not very much money with which to pay them.

By Mr. Chisholm (Inverness):

Q. I notice that there is quite a difference in the amount of salaries paid to fisheries officers, is there any scale for regulating the amount paid?—A. Yes, to some extent. We regulate the salary of a man generally according to the importance of the district he happens to have, and when a man replaces another he generally gets the salary paid to his predecessor.

Q. My reason for asking the question is that I notice some officers are paid, as Mr. McKenzie says, \$60, while other officers are paid \$120 and \$120 and so on?—A. Yes, and it has been so for many years.

Q. I want to know on what principle this is regulated?—A. How do you come to give one man \$60 and another man \$120 or thereabouts?—A. That may be answered by using the word 'precedent.' It has been that way a long while. There was a certain amount of money set apart for a county and that much money is expended in that county. In the preparation of the estimates we take that as a basis. We increase the officers from time to time and deserving officers who have important districts have their salary increased from time to time. Some do not deserve it and others do. Of course, they get their travelling expenses and those owning horses hire therefor while officially travelling.

By Mr. Maclean (Lunenburg):

Q. The important thing is that in counties where they have only one or two officers they get a decent salary?—A. Yes.

Q. And there are a lot of counties where they have got five, six or seven overseers?—A. Which are perhaps sometimes not needed.

Mr. KYTE.—Looking after one factory some of them.

Mr. MACLEAN (Lunenburg).—Yes, one or two men at the most would be sufficient and they could get a decent salary.

Mr. MCKENZIE.—I do not at all deny that such may be the case sometimes, but take my county, the county of Victoria, with one factory away down at Bay St. Lawrence and the other up at River St. George.

Mr. MACLEAN (Lunenburg).—I am taking the average. In Victoria county I notice there are six or seven overseers whereas in Guysborough, Lunenburg and Digby there are only two, in Shelburne and Yarmouth only one.

Mr. MCKENZIE.—I say it is impossible for one man to perform these duties.

Mr. MACLEAN (Lunenburg).—I know, but he has officers under him.

By Mr. Jameson:

Q. As I understand it there would be in the respective counties an overseer of fisheries and then under him fisheries guardians?—A. Yes, there would be in counties where they are required.

Q. Then whose duty would it be to take proceedings for the violation of the fisheries regulations?—A. The local fishery guardian would report to the fishery overseer and the fishery overseer would either take proceedings himself or report to the inspector. For some few years past our inspectors used to hold courts at certain places, having magisterial powers as well. They collected these cases of complaints

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from the different overseers and made a sort of circuit in that way, but it would be competent at any time for a fishery overseer having magisterial powers to exercise them and enforce the law himself.

Q. Are reports of any proceedings of that character made to the department?—A. Reports? What do you mean?

Q. If prosecutions are entered?—A. If a prosecution is entered and a man fined, a report is made to the department and the money is sent here and paid to the Receiver General.

Q. Can you state the number of fines or convictions that have been imposed or made in the province of Nova Scotia, we will say for violation of the Lobster Fishery Regulations?—A. Assuredly I could if I had the records of the department here, but of course, I could not give it from memory.

Q. Well could you prepare a memorandum of the number of prosecutions entered and the number of fines imposed?

The CHAIRMAN.—If you will pardon me there was a return brought down to the House last year giving for a number of years the fines imposed in some districts in Nova Scotia. I am not sure whether it covers what you want.

Mr. JAMESON.—If it does, perhaps it will meet the case.

The WITNESS.—I will see if it does. What do you want it for?

Mr. JAMESON.—I am interested especially in Western Nova Scotia, but I think the same information might be available for the whole province

Mr. WARBURTON.—I understand the return was for the whole province of Nova Scotia.

The WITNESS.—Whatever the return is we will get it. If it is not for the whole province of Nova Scotia we can supplement the information? You mean for all the fisheries, for any violations of the fisheries law?

By Mr. Jameson:

Q. Any violation of the fisheries law, more particularly of course, with reference to the Lobster Regulations. You have no statistics?—A. They would not refer particularly to lobsters unless you wish us to eliminate everything else and pick out the lobster cases.

Q. Would it be possible to get such a return as that relating solely to lobsters?—A. I presume so, anything could be picked out.

Q. That is more particularly what I want. There is just another question I wish to ask you: Are you aware of any fishery overseers or guardians being interested in canning factories?—A. No, I am not personally aware of any.

Q. Would it be the policy of the department to retain any such in the employ of the department?—A. That is a question I would scarcely like to answer yes or no to. I think the minister would be more in a position to answer that question.

Hon. Mr. BRODEUR.—It has never been considered or brought to my attention.

Mr. JAMESON.—If any such practice exists would it be considered a good policy to allow it?

Hon. Mr. BRODEUR.—I would not like to say off-hand.

Mr. JAMESON.—I may say that I am not asking the question idly but because it has been brought to my notice that such a condition does prevail. It seems to me it would defeat the very purpose of the regulations which is to see that small lobsters are not canned.

Hon. Mr. BRODEUR.—Are those men fishermen too?

Mr. JAMESON.—Not necessarily fishermen, but interested in the lobster canneries.

Q. I was asking a witness the other day, Mr. Venning, I think it was Prof. Prince, if any reports had been received regarding seizure of lobsters at Yarmouth?—A. If any lobsters had been seized?

Q. Lobsters for export?—A. That is a pretty general question. Would you cover any particular year or any particular number of years.

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Q. Have any such reports been received at any time?—A. Yes, at Yarmouth we have an officer who is apparently a pretty good man and very strict, and he examines all crates of lobsters which pass in transit from your county and some of the other counties, Kings county, and so on which are at the wharfs, where, as you well know, they are shipped on the Boston boat and sent to the United States. The object of this officer and his assistants is to see that there are no illegal lobsters in the crates, as small lobsters or lobsters containing berries, and he has on some occasions seized the crates of lobsters which had among them some illegal lobsters, and dumped them into the harbour and let them loose. There were considerable complaints from the shippers that the officer was being unduly critical in the matter and that he was rather imposing upon the trade. So I instructed the inspector for the district two or three years ago, I would not be sure which, to arrange with the officers that the crates in transit to Yarmouth should be examined by the local fishery officer at the point of shipment. We provided them with cotton labels which were to be placed upon the crates, showing that they had been examined by our officer at the point of shipment and that they were legal, and that these certificates on crates landed on the wharf at Yarmouth were to be honoured by the local officer there.

Q. When was that regulation made?—A. That was simply a departmental ruling. I think it was two or three years ago. We sent the labels out last year.

Q. These regulations are now in force?—A. Those instructions are now in force.

Q. When lobsters were seized at Yarmouth under the circumstances you have made, was a report made to the department?—A. Yes.

Q. By the officer?—A. Yes, I think so. We have reports made to that effect. There may be some seizures that were not especially reported, but I think we have reports in those cases.

Q. The lobsters were not sold?—A. We have not only the reports of these cases, but we have the result of investigation. We investigated the conduct of the officer to see whether or not he was unduly interpreting his instructions or whether he was taking advantage—

Q. His instructions from the department would be not to confiscate or to sell the lobsters?—A. We gave him no instructions of that kind at all. He simply knew what he had to do. He confiscated some lobsters and instead of letting them go to the United States dumped them into the harbour. He could do that in his capacity as fishery officer, he could liberate them. Sometimes we could try the offender. Sometimes there were no fines imposed.

Q. And you have no reports from him whether the lobsters were sold by him?—A. No, I did not see any. We have not got from him any report he made on any incident that occurred. These are, of course, very general questions of policy in a department which is dealing with questions from the Atlantic to the Pacific. I can say off-hand that we have reports from him, but I could not say whether he ever reported as to how he disposed of certain lobsters on any particular occasion. We certainly have reports and full reports and we have, as I said before, investigated his actions.

Q. And found them satisfactory?—A. Yes, and found that they were satisfactory. He is a good officer and I gave him those instructions, as I have said before to you, that the lobsters coming from your county and from other counties along that district that had been examined by the local officer and bore his stamp that they were legal were to be allowed to pass. That did away with the trouble. I think we have not had any trouble this year.

By the Chairman:

Q. I don't think anybody asked you anything about the enforcement of the law, that is in regard to the size limit. Is the law being enforced?—A. I am sorry to say that from the best information I can secure, which I think is pretty explicit, that

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the law with regard to the size limit is not being strictly enforced. The law with regard to berried lobsters is I think, being very fairly enforced. It is difficult, as has been explained here by a previous witness, to prevent people from rubbing the eggs off the lobsters, but where it is practicable I think that that law is being pretty well enforced. The close season is I might say particularly well enforced considering the extent of coast we have to look after.

Q. Is a strict enforcement of the law as regards the size limit practicable?—A. I will have to answer that I think in two sections.

Q. Well?—A. I would ask you first whether you would want the lobster canner business to go on as an important factor in the industry.

Q. Assuming that I do want it to go on what would you say?—A. Assuming that you want it to go on I don't see how you could strictly enforce the size limits for lobsters. Assuming you don't want it to go on why, of course,——

Q. Are you of the opinion it would close the factories along the coast to enforce the law strictly?—A. I am of opinion from the information which I gathered from fishery officers and from canners in the fall of 1907, that a great portion of the canneries in certain sections of the maritime provinces would have to close down if the present law was strictly enforced.

Q. And do you agree with Mr. Baker's evidence that about 40 per cent of the lobsters taken on the coast, in his district at all events, are undersized?—A. I would not be in a position to say 40 per cent.

Q. That is a very large proportion is it?—A. I would not really state any percentage. I don't think that even Mr. Baker could say that.

Mr. McKENZIE.—Did Mr. Baker say that, Mr. Chairman?

Hon. Mr. BRODEUR.—I think so, I think he said so in referring to lobsters under 8 inches.

The WITNESS.—I took particular pains to acquaint myself with the conditions and I saw every officer in the maritime provinces practically for the purpose of ascertaining information from them. I told them I was not there to find fault with them.

By the Chairman:

Q. Did you make an investigation of this matter yourself?—A. Yes, I did.

Q. And what were the results of your investigation, could you give them shortly?—A. Yes. I was sent especially down in October and November, 1907, to inquire into the manner in which the size limit for lobsters was being enforced. I held three meetings, one at Halifax at which I gathered all the officials and fishery officers and inspectors for the surrounding district; one at Hawkesbury; and I met some people at Port Mulberry. I went from there to Charlottetown and from there to Moncton, and in that way I covered the whole of the maritime provinces, meeting the different fishery overseers and inspectors. I took the inspectors with me from the different provinces in order that they might see what was going on outside of their own district. I personally examined all these officers and met many of the people engaged in the lobster business and I must say that I was forced to the conclusion that the size limit for lobsters was not being strictly enforced anywhere.

Q. In any of the districts?—A. In the sections of western Nova Scotia more particularly I think the officers claim there was a concerted attempt made there and they were fairly carrying out the size limit, but elsewhere——

Q. What did you find between Halifax harbour and Point Michaud?—A. Well, Overseer William Kennedy said that he thought the size limit was fairly well enforced in his district; Rawlins says it is not strictly enforced in his district.

Q. These officers are in Halifax?—A. Webber says the 9-inch limit is fairly well enforced, but short lobsters are being taken.

Q. What did Davis say?—A. Special Officer Torrey, of Guysborough, says it is impossible to estimate the percentage of small lobsters, but he does not think

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of necessity that the canners would close if the limit were enforced. Davis of Guysborough says the law is not strictly enforced regarding the size limit excepting when an officer is acting on the spot. Of course, I can go on with hundreds of officers, but I do not think it is necessary. To answer the question you put to me in a general way I was forced to the conclusion that the law was not being strictly enforced with regard to size limit and also to the conclusion that in certain districts the enforcement of the law would mean the closing down of a great number of lobster canneries.

Q. What do you say to Mr. Baker's proposal to reduce the size limit to 7 inches and be stricter in enforcing the regulations with regard to berried lobsters?—A. Well if the size limit has any meaning to my mind it has always conveyed the idea that it is intended to protect the lobster, at least to the size, when it would become matured and reproduce, otherwise to my mind it has no sequence at all as 7-inch lobsters will not propagate I do not see the force of fixing a 7-inch limit.

Q. Well if it is disregarded as you say why not abolish it?—A. Well then again you are going a long way because although in the main every law which is on the statute-books ought to be enforced there is a large amount of give and take. Some regulations in some cases cannot be actually enforced but their presence on the statute-book may have a deterrent effect to some extent and it may be bad policy to remove it knowing that you cannot enforce it. On the other hand it is bad, of course, to have a law which you cannot enforce. I must say that that is the point in the lobster business which has given me the greatest trouble to reach any decision about and I did think at one time that it might be well to disregard the size limit altogether and let the canners do what they are doing now. They are packing them anyway and cut them down to a minimum size but I don't know whether I would be prepared just now to recommend that just now or not.

Q. What do you mean?—A. I mean cut the season down.

Q. Shorten the season?—A. Shorten the season down to the very lowest possible and let them pack.

Q. Shorten the season, abolish the size limit, and increase the strictness of the regulations in regard to the berried lobster?—A. I did not say I would recommend it. I say I have thought of that in connection with other things. It would be going an awful long distance but, of course, the canners are doing it now.

By Mr. Fraser:

Q. Have you received, or has the department to your knowledge, any communication from the government of Prince Edward Island proposing a shortening of the season? Have you received any communication recently? Are you aware in other words, that the government of Prince Edward Island has passed a resolution?—A. Yes, I am aware of that.

Q. To have the season shortened?—A. I am aware that the assembly of Prince Edward Island have asked that the season which opens on the 20th April should be deferred until the 26th April.

Hon. Mr. BRODEUR.—Not the government, the legislature have done that?—A. The legislature. I became aware of that only yesterday.

By Mr. Fraser:

Q. Will that regulation be put into force this year?—A. I don't know.

Hon. Mr. BRODEUR.—Yes, I might say I am willing to consider favourably the resolution of the Legislative Assembly.

By Mr. Todd.

Q. What do you think was the object of the legislature in recommending this seeing that it only makes six days difference?—A. Well I have not seen the terms of the resolution and, therefore, I am not able to say. The only thing I can think of is that the 20th April is a fairly early date to open on and that possibly the gear and

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traps and so on may be lost or interfered with in the ice. Some people are bound to go out and set their lines before others and it is probably wanted to change the date in such a way that the bulk of the people cannot get out until after the six days have expired. That may or may not be the case but it is the only conceivable explanation I can see for their making such a request.

Hon. Mr. BRODEUR.—Has there been any discussions in the newspapers, I have not seen any?

Mr. FRASER.—I understand a great many people want to have the season opened on the 1st May and others want to retain the old date. I think the department is aware that the opening and closing of the season is as fairly well observed in Prince Edward Island as in any other part. But I may tell the Committee that it is impossible to carry out the size limit regulation as the department knows.

Hon. Mr. BRODEUR.—Is this with a view of having the regulation preserved as to the size limit?

Mr. FRASER.—No, that is an impossibility.

The WITNESS.—Would you say it is impossible? I am not free to admit that. If I have created that impression I would like to change it. I am not free to admit that it is impossible to carry out the size limit. I could carry it out but in doing so I would have to close some factories.

Q. I understand there have been only two new licenses in Kings county for the past five years?—A. The only record I have is two in Kings county.

Q. Would you give me the names?—A. I cannot give them to you here but I can give them to you in the office.

Witness discharged.

Hon. Mr. BRODEUR.—We have the good fortune to have present two or three witnesses from Nova Scotia. It might perhaps suit the convenience of the Committee to meet this afternoon and take the evidence of these gentlemen. We have to sit during the sittings of the House.

Mr. FRASER.—We might meet at 4 o'clock, I should think.

The CHAIRMAN.—If that is agreeable to the Committee we will adjourn to meet at 4 o'clock.

Committee adjourned.

COMMITTEE ROOM No. 32,

HOUSE OF COMMONS,

TUESDAY, March 23, 1909.

The Select Standing Committee on Marine and Fisheries met at 4 o'clock p.m.
Mr. Sinclair, Chairman, presiding.

Mr. WILLIAM WHITMAN, M.P.P., Guysborough, called, sworn and examined.

By the Chairman:

Q. You are a fisherman?—A. Yes, I have been.

Q. For how many years?—A. From my youth up with few exceptions

Q. You have been engaged in trap fishing?—A. Yes.

Q. You are the local representative in the county of Guysborough, in the Nova Scotia legislature?—A. Yes.

Q. You were one of the members of the Lobster Commission that sat in 1898
—A. Yes.

Q. Will you tell the committee what you did in order to obtain the information to arrive at the conclusions which you reached?—A. I think, if my memory serves me right, there were 8 members of the commission but we were divided into two parties. One party took the south coast of Nova Scotia and the other the western part of Cape Breton, the Northumberland Straits and the north coast of Quebec. I don't think there was any person visited the Magdalen Islands or Anticosti, I think I am correct in that.

Q. What did you do?—A. We took evidence. Mr. Nickerson, and Mr. Lavatte and myself were on the south coast, that is from Digby around to Cape North, from Digby on the south coast of Nova Scotia to the Island of Cape Breton to Cape North

Q. Cape North and Cape Breton?—A. In Victoria county, Cape Breton.

Q. You called at a number of places and heard the views of the fishermen and the packers?—A. Yes, we did.

Q. You recommended at that time that the size limit be what?—A. We recommended that on a small portion of the coast the size limit be $10\frac{1}{2}$ inches.

Q. Where?—A. That was in Digby county. Commencing at a line between Digby and Yarmouth counties, in the County of Digby, was included in the $10\frac{1}{2}$ -inch recommendation.

Q. What other size limits did you recommend?—A. From there to Halifax Harbour we took the fair way buoy out of Halifax Harbour as a dividing line. It was quite wide there and we decided that it was a good place to make a division, the fishermen would be some miles apart. There we recommended a 9-inch limit.

Q. That is west of Halifax?—A. From Halifax west to the county line between Yarmouth and Digby if my memory serves me right, that was the recommendation of the commission.

Q. Then east of Halifax?—A. East of Halifax from Halifax to Point Michaud was another division with an 8-inch limit. Then there was the west part of Prince Edward Island and the Northumberland Straits. At that time the evidence that our fellow commissioners received was that the lobsters were so small that anything above a 7-inch limit would destroy the industry for the packers. Sir Louis Davies, who was Minister of Marine and Fisheries at that time thought probably that it would be better to make there a 7-inch limit, but I understood afterwards it was never acted upon. The size limit from Halifax east was, therefore, made 8 inches.

Q. Do you know if this regulation has been observed or has it been systematically broken?—A. So far as I know I do not think it has been observed.

Q. You have been among the fishermen in your district every year?—A. I have.

Q. As far as your district is concerned you say the law is not observed?—A. I do not think so. It may in some instances be observed.

Q. What is the size of the lobsters in your district?—A. The lobsters are not as large as they formerly were.

Q. They are decreasing in size?—A. I would say so.

Q. Comparing those caught at the present time with a good many years ago you mean?—A. Yes, with those taken a number of years ago.

Q. What would be the effect in your district if the 8-inch size limit was strictly enforced?—A. I think it would be an injury to the canner.

Q. You think it would close the canneries?—A. I do not really think it would, it might in some instances. My experience is that the lobsters are not a uniform size at different places along the coast.

Q. You think the lobsters are small on some parts of the coast than on others?—A. In some localities I think they are.

Q. What is your reason for thinking that?—A. There are some parts of the coast where the water is deep—what I mean by deep water is where there is 60 or 70 fathoms and a mud bottom—runs near the coast. The lobster, as I understand it, migrates off and on from the shore; he does not follow the coast as do other fish.

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Q. The lobster moves out to sea and then back again?—A. Yes, and then moves back again.

Q. And what about this mud bottom, what has that to do with it?—A. We find that a lobster does not make his home on a mud bottom, he has not any use for mud. He wants a hard bottom.

Q. If the mud bottom comes close to the shore the area the lobster has is small?—A. I mean that.

Q. It is narrow and the lobster is apt to be caught up?—A. More quickly.

Q. Then you do not think it would close the factories in your district to enforce strictly the 8-inch limit?—A. I don't think it would close them down, but it would injure them.

Q. It would reduce the output?—A. Yes

Q. But not much?—A. Not very much.

Q. What do you say about the length of the season, is that satisfactory?—A. I think it is as far as I know. I did not hear any complaints among the fishermen.

Q. Have you any suggestions to make about the length of the season, would you shorten it?—A. The best method of protection you could have for the lobsters would be to shorten the season.

Q. What time of the year would be the most important to cut the time off, the latter end of it?—A. The latter end.

Q. Why?—A. There are more seed lobsters on the coast in the month of June than there are in the months of May or April.

Q. And would you suggest that it is practicable to shorten the season by taking a part off the latter end of it?—A. I think that might be done without materially injuring the packers and the fishermen.

Q. What is the season in your district now?—A. I think if I am correct it is from the 1st of April to the last of June.

Q. And how much would you suggest you should shorten the season?—A. Fifteen days.

Q. And make it the middle of June?—A. Make it the middle of June.

Q. And you say that if we did that we would save a great many seed lobsters?—A. Yes, that is my contention.

Q. Because in your contention there are more seed lobsters to be caught during these 15 days than during any other part of the season, is that it?—A. Yes. From a fisherman's standpoint, I think there are more seed lobsters caught in the last 15 days than there are in the 25 days preceding.

Q. What is the reason of that?—A. The seed lobster apparently go in to the shore as the water gets warm in June, they go up into very shoal water. Earlier in the season the fishermen catch them in deeper water. Down to 20 fathoms I believe.

Q. And the destruction of the seed lobsters is greater towards the end of the season?—A. Towards the end of the season it is greater.

Q. What do you say about restricting the number of licenses?—A. Well on the Atlantic coast, as I understand it, the fishermen own their own gear and the packer buys from them. But there are certain parts of the coast where the packer owns the gear and hires his men. It is not so on the Atlantic coast, I do not know of any part on the Atlantic coast where the packer hires his men. The fishermen own their traps, they catch the fish and the packers send their smaacks out and buys them.

Q. Then in your opinion the number of licenses does not settle the number of lobsters to be caught?—A. Not on that part of the coast, I do not consider that it does.

Q. Then is it your opinion that by increasing the licenses any more lobsters would be caught?—A. I don't think there would be, there would be the same number of fishermen. You know that on that part of the coast they are fishermen, the farmers do not enter into fishing operations at all.

By Mr. Maclean (Lunenburg):

Q. You would not favour unrestricted canning licenses?—A. Yes.

Q. You would?—A. Yes, I would.

Q. You would give a canning license to everybody?—A. No, I would give a canning license to the man that understood putting up lobsters.

Q. Well, the canning licenses are not restricted for the purpose of saving the lobsters, are they?—A. I think they are in some cases. I think that is the intention in some cases.

Q. I think you must be wrong, at least that does not seem to look like good reasoning. The idea in granting canning licenses is to see that the product is put up properly so that you can have some control of the canning?—A. It may be but I am of the opinion that it is not.

Q. Well, does it not look reasonable, Mr. Whitman, that we should control the men who can the product and ship it abroad?—A. Yes, that is right.

Q. That is necessary?—A. That is necessary.

Q. And the only way you can do that is by licensing is it not?—A. Well, you grant a license. How do you know the man you grant the license to is proficient in his calling.

Q. I never had any idea that the restriction was for any other purpose than to control the packing?—A. Well, the probabilities are—

Mr. MACLEAN (Lunenburg).—Mr. Venning, what is your idea? What is the purpose of the canning license, is it to regulate the canning or to restrict the catch?

Mr. VENNING.—The canning license was initiated almost entirely, I think, to keep up a good pack and a good catch of lobsters and to do away with the little canneries that used to be built in the woods—sometimes they would can in their kitchens and other places, and I think that was really the fundamental idea of issuing a license to canneries; but, of course, it was to regulate the business.

By Mr. Maclean (Lunenburg):

Q. It is to regulate the canning, surely that is the main reason back of it?—A. That is the reason, but it necessarily must have some effect upon the catch.

Q. Incidentally?—A. Incidentally.

Q. But primarily?—A. Primarily the object was to regulate the business and to make a better class of canning and to exclude the little canneries.

By Mr. Warburton:

Q. Causing them to put up better goods?—A. Better goods.

By Mr. MacLean (Lunenburg):

Q. Mr. Whitman, don't you think it would be an unfortunate thing to grant a great number of licenses?—A. Well, I cannot see the point. If a man—

Q. You don't believe in a monopoly, do you?—A. I do not, not by any means.

Q. Well you believe in putting the canned lobsters on the market in good shape?—A. Yes, that is a point upon which we all agree. But the point that I am making in this case is if I put up good lobsters why should I not have a right to can them as well as any other man.

Q. In the canning business a man must be able to buy a certain quantity of lobsters before he can make it pay?—A. I should think so, that follows in all trades.

Q. A man without capital who can only secure a small quantity of lobsters for canning is not apt to put up as good a product as any one else, is he?—A. My contention is that if he understands his business he will not go into it unless he can make it pay.

Q. Is it not a fact though that most men who are in the lobster business believe they can get lobsters as well as any one else?—A. That might be the case with a farmer.

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Q. You do not think it is true to-day?—A. The conditions have changed vastly in Nova Scotia from what they were 30 years ago. You see when the American canners came in there was no one in Nova Scotia who knew anything about the canning of lobsters, who knew nothing about the business and, of course, Burnham and Morrell and the Portland Packing Company who came in there, were the pioneers in this business. They started it and, of course, our people have learned to can from them. To-day our people can put up just as good lobsters as the Portland Packing Company or Burnham & Morrow.

Q. Some people, can, but as in the matter of butter making, with creameries where you have a number of men organized, as a corporation, as a rule they can put up better butter than the individual farmer can?—A. That is very true, but I think, Mr. Maclean, we are getting away from this point with regard to these licenses, I think Mr. Venning will agree with me, that when they are granting licenses they do not really know that the man is an expert, he gets his license, but they do not know that he is an expert in packing.

Q. I am not against issuing canning licenses, but I think it would be a most unfortunate thing if we were to adopt the policy of issuing licenses to every Tom, Dick or Harry?—A. Let me say to you now that I was not expecting that licenses would be granted indiscriminately to Tom, Dick or Harry.

Q. Supposing there were 1,000 men in Guysborough county who could can lobsters as well as any man in the world, you would not favour granting canning licenses to a thousand men in that county, would you?—A. I do not think that is a fair comparison because it would not be worth a thousand's men's while to start in. We are working upon business principles and there would be no business in that you will agree with me.

Q. I agree with you, but I see you are coming to my point of view?—A. No, I am not coming to you, but you are coming to me. We are not so very far apart as we appear to be.

Q. I am taking an extreme case for the purposes of illustration?—A. I understand you perfectly well.

Q. You would not favour granting a thousand canning licenses in Guysborough county to a thousand good men, would you?—A. No, it would not be asked.

Q. Because there would not be money in it for everybody?—A. Certainly not.

Q. Why would they not put these goods up whether there is money in it or not? Might there not be patriots down there?—A. We do not have them.

Q. You do not have them?—A. I do not find them.

Q. Then is it not a fact that in order to get good canners, men who will turn out a good product, you must have some consideration as to the number of licenses; they must get into the hands of men with a little capital?—A. You know we cannot altogether agree on that. Just let me explain a little bit further. I think on the Northumberland Straits, in Pictou county and along there the canners own their outfits, and of course a man will come along and put up a factory, he hires his men, sends them out. There is a condition of affairs on that coast I think that calls for our consideration and the license was to cover situations of that kind. We had them before the Lobster Commission of 1898, and of course we were asked then to recommend that licenses be restricted, and I think that was the case at the time that was cited that these people were coming in, so many people were coming in and putting up canneries that they were interfering with one another. And of course in a case of that kind I think myself that I would agree with you that there should be some restriction. But, you know, take it on the Atlantic coast, I do not think there is any danger of too many coming in there.

Q. But there is a limit to it, is there not?—A. There is a limit as there is to everything, but I think that would cure itself.

Q. Would you favour the government inspection of canned lobsters?—A. I think

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it will be all right if you have the proper man to inspect, a man who knows the business, that will be all right, and I should not object to it.

By the Chairman:

Q. Would you favour a reduction in the size limit. Would you do away with the size limit altogether, Mr. Whitman?—A. I can hardly answer that question.

By Mr. Warburton:

Q. Would you state what size limit, for the benefit of the fishermen, would you think proper? The fishermen of course would help the canners, what size should be the limit?—A. If you go below the eight-inch limit I don't think it is in the interest of the business or anybody else, but the trouble is here, I do not see how you are going to protect the size limit and allow the canner to can. Of course, when we made this recommendation they asked that we reduce the size limit to eight inches, it was nine inches, and they asked us to reduce the size limit, thinking they would be able to control the situation, but it did not have any effect. I do not consider it has made any difference.

By the Chairman:

Q. Have you ever known of a fisherman throwing small lobsters back into the water?—A. I think I have heard of very small ones being thrown back into the water. I think the probabilities are that very small lobsters of five inches and probably six, are not taken ashore, but that they throw them back.

Q. Would not the small fellows escape through the trap?—A. In some cases he will, yes. Of course, most people leave their traps pretty open and a five-inch lobster would escape; I do not know whether a six-inch one would or not.

Q. Do you think a trap could be made which would allow them to escape?—A. I would not like to venture an opinion on that.

By Mr. Warburton:

Q. A moment ago you said the best way to preserve the lobster was to shorten the season and preserve the berried lobster, and you said, as other witnesses have said, that the size limit is practically unobserved. Would it not be well, if you are of that opinion, to shorten the season and to do away with the size limit?—A. I would not really say do away with the size limit. I do not know really what effect it would have upon the fishermen, but I am satisfied if you reduce the time, say you take 15 days off the latter end of the season, that is a practical solution. You know whatever is in the water then they are going to stay there.

By Hon. Mr. Brodeur:

Q. At the same time you reduce the close season by 15 days would you favour a rigid enforcement of the regulations as to the size limit of eight inches?—A. I am afraid not—I am afraid I would not say that.

Q. You would not say that?—A. No.

Q. What do you think of the idea of reducing, for a year, for example, the size limit to seven inches?—A. I think that would be all right.

Q. And then increase it, year by year, to eight inches?—A. That would be a very good experiment; watch the thing carefully and I think it will be probably a sound policy to pursue.

Q. Then it would be a rigid enforcement of the seven inches?—A. Yes; well I do not see that there would be very much loss to the fresh fishermen or the packer to cut out below seven inches.

Q. At the same time would you advise in that case that the close season be

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reduced by fifteen days?—A. I think it would be a good thing. I tell you I believe in the interests of all concerned it would be beneficial.

Q. Of course, you would have an enforcement of the regulations, would you not?—A. I think so.

By the Chairman:

Q. Would you favour the reduction of the close season in your own district if it were not at the same time reduced in all places?—A. No, I think it should be reduced all round.

By Mr. Maclean:

Q. Would it be an easy matter running that limit from seven inches to eight inches at the end of a year?—A. That would be for the politicians to decide.

By Mr. Warburton:

Q. To come to the practical element you have never been able practically, to enforce the size limit; would you ever be able to enforce it?—A. I am afraid of it; it may be that you may be able to enforce it.

Q. It never has been enforced, has it?—A. No.

By Mr. Maclean:

Q. This lobster business is an irreligious one in that you are apt to become agnostic with respect to it?—A. I do not say that.

Q. Do you consider that the regulations might be enforced any better with a seven inch than with an eight inch limit?—A. Yes, there is a possibility that the fishermen might say: 'The government are using us pretty well, the government have done their part, and we will try and do ours;' that is the secret of it.

Q. What do you think about these canning gentlemen; are they law-observing people?—A. I think they are, so far as they are able—the majority of them.

Q. But their ability is not great, is that it?—A. Oh, some of them have a great deal of ability; they are like all other classes.

By Hon. Mr. Brodeur:

Q. If the size limit was not enforced would you advise the cancellation of the license to the lobster canners if they do not carry out these regulations properly—if they are canning lobsters under the size of seven inches?—A. Well, I would not for the first offence.

Q. Not for the first offence?—A. No.

Q. Well, for the second offence?—A. I question that either, nor for the second offence.

Q. Well, what about the third?—A. And I might not for the third.

By Mr. Maclean:

Q. When would you want to tax them, once in five years?—A. I would leave that to the official.

Q. Does not the law require forfeiture of the license if they break the law?—A. I think there was a recommendation to that effect for the second or the third offence.

By Hon. Mr. Brodeur:

Q. We have the right to cancel the license, or to make it a condition of issuing the license.

MR. VENNING.—Oh, yes, we can make it a condition of granting the license.

By Mr. Maclean:

Q. Is the lobster growing scarcer in Guysborough county?—A. I think the industry is gradually declining—of course it is not rapidly declining.

Q. It is a pretty hard business to regulate, you must admit that?—A. It is certainly there is no doubt about that.

By Hon. Mr. Brodeur:

Q. It is hard to have fixed opinions one way or the other on this question?—A. Yes. There is another thing, I do not think we are well enough acquainted with the habits of the fish, but perhaps there may be some person who could take hold of this question and study it up. We do not know how old a lobster is; I do not, I do not know whether Mr. Venning does, but I do not; I do not know how old he would be when he became 10½ inches long.

Mr. VENNING.—I think the scientists know that pretty well now.

By Mr. Maclean:

Q. You were privately giving me your views the other day as to what may be the cause in the decrease in the size of lobsters in Cape Breton, because of the depth and coldness of the water?—A. I think I have already given that.

By Mr. Warburton:

Q. It was suggested the other day that the fisherman should receive a license on which he should not be required to pay anything, and if he was found in possession of small lobsters that the license should be taken from him and that he should not be allowed to fish, what would you think of that?—A. I do not agree with that, that was brought before our commission and we all decided that the fishermen did not like to have to go hunting for a license. There is a little trouble in connection with it I do not see that it will benefit the industry to have that restriction, I do not think so.

By Mr. Maclean:

Q. Now, here is a problem. You say that the limit should be 8 inches—?—A. No, excuse me, I did not say that.

Q. Say seven or eight inches, and you admit that the canning men do not observe the limit?—A. The canning men do not?

Q. Yes?—A. Well, probably we will have to include the fisherman as well. I am neither a lobster fisherman nor a packer, I am between them, and as far as I am able I will be fair to both.

Q. If the canner will persist in buying illegal sized lobsters that is throwing temptation in the face of the fisherman, is it not?—A. You will have to excuse me—if the fisherman will insist upon the canner taking short lobsters. I think we will have to put them in the same boat.

Q. What are you going to do then?—A. You can stop the canner from canning and say: 'You shall not can any longer.' and then the fishermen will have to go at something else or starve. There is the situation.

Q. Then the situation is that you cannot enforce the law as to the size limit without destroying the business?—A. I do not say that you cannot enforce the law, but I do say that it has never been enforced. Whether it can be or not is a different question.

By Hon. Mr. Brodeur:

Q. I suppose it can be enforced at the canneries, but it will affect the industry itself?—A. Well, now, it is just this, it may be that it does not altogether lie with

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the canner. I am a fisherman, I go out and set my traps, and I go out and haul them. I have 100 pounds of the regulation size lobster, and I have fifty pounds under regulation I know the canner will not buy them from me, but I will carry them home and boil them in the pot, I will take the meat out and put it in a bag and carry it over to the cannery. Of course the canner will take it then and put it with the rest of the meat and the fisherman is going to get paid for it. I think that is correct.

By Mr. Loggie:

Q. That is contrary to law?—A. There are some things contrary to the law, but get at them if you can.

By Mr. Maclean:

Q. What do you do with the shells after taking them out of the pot?—A. I can burn them.

By Mr. Loggie:

Q. In what depth of water is the lobster fishing carried on—A. I do not think they go beyond twenty fathoms.

Q. How far is that from the shore?—A. Between two and three miles.

Q. What is the depth of the shoal water they fish in?—A. Up to two fathoms, one fathom sometimes.

Q. On the bay?—A. No, on the coast.

Q. Sandy bottom?—A. No, rocky bottom.

Q. Is there much difference in the size of the lobsters in shallow water compared with those found in twenty fathoms?—A. No, there might have been a time when there was but I do not think there is very much difference.

Q. Have you any bay where you catch lobsters?—A. Yes.

Q. In sheltered water?—A. Not very much, well, it would be sheltered only at the time of a storm.

Q. I mean is it a sheltered bay?—A. Only at the time of a storm.

Q. Do you get lobsters there early in the season?—A. Yes.

Q. What depth of water is there?—A. I mean Chedabucto bay; it is a deep bay of twenty odd miles and at the bottom of the bay there is about 65 or 70 fathoms of water, and about eight miles from the head of the bay there would be 35 fathoms of water, with a muddy bottom, there is tide water.

Q. You would not get any lobsters on the muddy bottom?—A. No, not by any means.

Q. Have you any shallow bay with four or five fathoms of water, having a rocky bottom?—A. No, we have not, not such as you would get on the north shore of New Brunswick. We haven't any like that.

By Mr. Maclean:

Q. Do you believe in allowing men to catch lobsters in July and August anyway?—A. In August?

Q. Is it detrimental to the lobster business?—A. Well, now, Mr. Maclean, my opinion is that around the Island of Cape Breton lobsters can be got, and should be got later in the season than they can be further west. The water early in the spring is cold, we have the cold waters of the Gulf coming up around the Cape Breton coast; and there is another thing, the evidence that we got on that Lobster Commission went to prove that the lobster was not as large at a given age as he was in the west. That had something to do with our recommendation as to size limit.

Q. I think that is right?—A. And it had a great deal to do with the different districts along the coast.

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Q. Is the law better observed in the western part of Nova Scotia than it is in the eastern part, do you think, as to size. Did you gather anything on that commission in that respect?—A. I really do not know; people claimed that, but I really do not know whether it was so or not.

Q. You believe in shortening the seasons?—A. That is from a protective standpoint. I believe that eventually it would benefit all concerned, both the lobster industry and the fishermen as well, because, you know, we must not fish the lobster out.

Q. On the ground that you can do less harm in one month, than you can in two months, that is the theory?—A. Yes.

Q. And also that you are striking the period when they are berrying?—A. Yes.

By Mr. Chisholm (Inverness):

Q. What would the result be if you shortened the season, and we have ice until the 10th of June—what are you going to do then along the Inverness coast?—A. I am aware of the fact that the ice comes in here late; in that case take a year that the ice came in and blocked the coast until the 10th of June so that the fishermen could not get out there should be an extension allowed, some little latitude should be given to those people.

Q. I do not want to go on record as saying that the County of Inverness is ice-bound in June, but I am asking what you would do on an exceptional occasion such as I have referred to?—A. That happens occasionally, I am quite aware of that, and there should be provision made to meet it.

Q. If the season were shortened as you suggest it would be equivalent to cutting off the industry entirely and absolutely under such circumstances.

By the Chairman:

Q. What is your opinion about hatcheries?—A. I think the hatchery is a very good institution, so far as I know it is.

By Mr. Fraser:

Q. I heard you say a while ago that you were neither a lobster fisherman or a canner?—A. That is what I said, yes.

Q. You are not in the fish business, are you? A. I have been a fishermen, and I have prosecuted other parts of the fishing industry, as I said before, from my youth up with few exceptions.

Q. Have you any knowledge of markets?—A. I know something about them.

Q. What would you think of encouraging the selling of fresh lobsters in the markets of Canada instead of the United States instead of selling the canned product?—A. I do not think there are people enough in Canada to eat them, otherwise I think it would be all right.

Q. Do you not think there could be a trade worked up?—A. I think there could be a small trade worked up, but you know there are a great many lobsters caught in Nova Scotia.

Q. Are there any other sorts of fish on the eastern end of Nova Scotia that are shipped—you live at Canso?—A. I live at Guysborough, that is near Canso. Yes, there are some shipped from Guysborough county. I can give you a statement of live lobsters shipped from Guysborough county from 1895 to 1907 (reads):

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Guysborough County.

	Fresh lobsters in Cwts.
1895..	500
1896..	520
1897..	2,140
1898..	811
1899..	2,282
1900	3,930
1901..	3,168
1902..	2,392
1903..	2,673
1904	2,009
1905..	9,895
1906..	2,551
1907..	3,429

Mr. MACLEAN (Lunenburg).—Mr. Venning, is there such a thing as a special car for the transportation of live lobsters, a tank car or anything like that?

Mr. VENNING.—Yes, Mr. Neville has a specially arranged carrier and the railways have taken lobsters across the continent.

The CHAIRMAN.—Where does he send live lobsters to?

Mr. VENNING.—Lobsters are sent from Boston to Denver, Col.

Mr. LOGGIE.—Mr. Neville sends them from Halifax to all the American States.

Mr. VENNING.—Yes, and they are shipped as far as Denver.

Mr. LOGGIE.—I have seen them going from Halifax several times, put up in casks, ice inside.

By Mr. Jameson:

Q. Mr. Whitman, I think the committee understood you to say that in your opinion the lobster industry is declining?—A. Yes, to a certain extent.

Q. Does that opinion apply to the whole maritime provinces or to your particular section?—A. Well, of course, I am better acquainted with the particular section where I live.

Q. On what do you base that opinion?—A. The fishermen claim that they do not get so many. I may tell you that in the bays the lobsters are getting smaller and there are not so many. Out on the coast there may be just about as good fishing as formerly, but there is not such a large area of ground that we get a uniform fishing out of. That is what I base my opinion upon.

Q. I may say to you that the statistics of the department have shown that there are more traps employed, is not that so?

Mr. VENNING.—The difference between 1,100,000 and 1,300,000 giving the round numbers.

Mr. JAMESON.—In 10 years?

Mr. VENNING.—In 11 years.

The WITNESS.—That means a difference of 200,000 traps.

By Mr. Jameson:

Q. There is practically the same quantity of lobsters canned and an increased quantity of live lobsters exported.

Mr. VENNING.—There was an increase from Prince Edward Island, a slight decrease in Nova Scotia and an increase in New Brunswick.

The WITNESS.—I think the reports show a little decrease, but, of course, any of the fishing industries will fluctuate. You may get an extra large catch this year and

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next year may not be quite so good, but on the whole, I think you will find there is a slight decline.

Q. Would you think the decline that we have observed is more serious than shown by these figures?—A. No, I do not.

By Mr. Maclean (Lunenburg):

Q. Did you ever hear of a proposition to stop the catching of lobsters for a time?—A. I have heard of that. It was brought before us 11 years ago. It was suggested by some that there should be a close season for two or three years. Still we have kept on for 11 years since that and there is not a very great difference. I cannot see that there is a very great difference in the catch. I think if you could devise some means whereby you could give the lobsters a little more protection it would be better, for instance, if you had more hatcheries on the coast, and it might bring the industry up again.

Q. An American authority says we should catch the small ones and let the big ones go?—A. Yes, but if you kill the juveniles where will you get the adults?

Q. There is something in that?—A. You know the old fellows soon get off the stage of action if there are no young fellows to take their place. In the case of men that would soon depopulate the country, and I suppose it would be the same with the lobsters.

Witness discharged.

Mr. GEORGE WALSH, called, sworn and examined.

By the Chairman:

Q. Mr. Walsh, are you a fisherman?—A. I have been.

Q. Most of your life?—A. Yes.

Q. How many years were you engaged in the industry?—A. In the different kinds of fishing about 30 years.

Q. You are not a packer?—A. Not a packer.

Q. You live where?—A. Canso.

Q. And you are familiar with the lobster industry as carried on in Canso?—A. Yes, in that locality.

Q. Do you think that the industry is being depleted at Canso?—A. Not to any great extent.

Q. Do you think the industry at Canso is about as good as it was years ago?—A. Not as good as it was 20 or 25 years ago.

Q. The number of large lobsters—A. Has decreased.

Q. Are there about as many caught?—A. Well, there are about the same quantity caught.

Q. Has the number of traps increased very much?—A. Oh, yes, the number—

Q. And the number of fishermen?—A. The number of traps has increased more in proportion than the number of fishermen.

Q. Are there many undersized lobsters caught?—A. Under our present limit?

Q. Under the 8-inch limit?—A. Well, in the locality where I fished lobsters I would consider very few.

Q. What proportion would you say?—A. About 2 per cent under 8 inches.

Q. There are very few then you say under 8 inches?—A. And there are not a great number 8 inches, that is in our locality. I am only speaking of our locality.

Q. What size are the lobsters there?—A. Well, I should say there would be 5 to 10 per cent 8 inches. From that to 9 probably there would be 10 per cent and from 9 say to 10½ inches somewhere from 50 to 70 per cent probably, that is roughly speaking, and the remainder from 10½ up. That would be roughly speaking.

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Q. You say that there is an increase in the number of traps used by the fishermen?—A. Yes.

Q. Well, suppose a fisherman used the same number of traps right along during the last 5 years, what would be the effect, would he be able to catch as many?—A. Well, I have been talking to two different parties just previous to the time I came here. Each said there was no difference between their catch this last 5 years or a very slight difference with the same number of traps and on the same fishing ground.

Q. Is the fishing ground limited in your district, that is is there room for very many more fishermen?—A. No, there is not.

Q. How far out can you go and fish successfully?—A. It depends upon the season. The early part of the season you go in deep water and the latter part of the season you have to fish in shallow water, in on the shores which limits the space.

Q. And do you say that all the good berths are taken up along the coast with which you are familiar?—A. Yes.

Q. And that you could not increase the number of fishermen without displacing some of those that are already occupying the ground?—A. Not at all.

Q. Then you could not increase the number of fishermen very much?—A. Not very well.

Q. What are the names of these men that fished for five years with the same number of traps and caught the same amount of fish?—A. William Stryder and Patrick Dollard. Those are the two.

Q. They are both Canso fishermen?—A. Mr. Stryder, I think, told me he had fished for some 25 years and I know he did too.

Q. What proportion of the fish caught in the district that you are familiar with are berried lobsters?—A. Well, that depends again upon the season. We are supposed to have from the 1st April to the last of June as our season. Well, very seldom the fishermen get to work before the 15th or 20th of April. Then there is a very small proportion of berried lobsters, say 3 per cent to 4 per cent, I would not state exactly.

Q. That is in the first part of the season?—A. In the first part of the season.

Q. What about the latter part?—A. The latter part I would not like to say.

Q. There is a larger proportion you would say?—A. Quite a larger proportion in the latter part. Perhaps I would exaggerate it if I said there was 20 per cent.

Q. Do you think you would estimate that the berried lobsters caught during the latter part of June would amount to 20 per cent of the total catch?—A. Pretty nearly so. I would not like to say definitely, but pretty nearly.

Q. Do you agree with the last witness that by shortening the season to the latter part of June you would save a great many of these berried lobsters?—A. Yes, you would save a great many of the berried lobsters but you would deprive quite a number of fishermen of their privilege for the season. Those that fish inshore the latter part of the season cannot fish outside the first part of the season. Those that fish outside during the first part of the season take up their gear before the season ends and the inside folks have the fishing berths as we call them. I think there is about one-third of our fishermen take up their gear about the 1st of June.

Q. Have you seen berries on small lobsters?—A. Very few on small lobsters. I have seen them on about 8-inch lobsters two or three different times, but not more than that. Between 9 and 10-inch seems to be the better lobsters for berries.

Q. What do you say about the enforcement of the law in your district?—A. In what way?

Q. Is it enforced?—A. No.

Q. Is it violated?—A. Yes.

By Mr. Maclean (Lunenburg):

Q. With the exception of the two per cent it is observed?—A. Of two per cent? Yes, that is right.

Q. From what part of Guysborough do you come?—A. From Canso.

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Q. Mr. Sinclair's county has a bad name somehow?—A. The county is all right but it may have bad people in it.

By the Chairman:

Q. Mr. Maclean is joking. You say the enforcement of the law would not stop the lobster industry in that district?—A. I don't think it would affect it any or very little.

By Mr. Fraser:

Q. You are a real fisherman are you?—A. A real fisherman. I was put into a boat when I was pretty small. I have had 30 years experience at different kinds of fishing and I have had about 11 years experience buying and bringing fish and lobsters of different kinds into factories and firms.

Q. Were you fishing lobsters last year?—A. Not for 11 years. I have not been fishing lobsters for that time.

Q. What have you been doing then?—A. I have been purchasing lobsters for the factories and purchasing different kinds of fish.

Q. How many factories did you purchase for?—A. None now at all. I only purchase now cod and haddock.

Q. Have you not had anything to do with lobsters this last ten or eleven years?—A. Up to five years ago I bought lots of lobsters, bought them from the fishermen.

Q. During the last five years you have not been so closely in touch with the lobster business?—A. Not so closely.

Q. Is there a lobster factory near where you live?—A. Yes, quite close too. Three there should be.

Q. How many cases on the average are there packed in these three factories?—A. Oh, well, I could not rightly say.

Q. You have no idea?—A. I might have a rough idea.

Q. Give us a rough idea of the number of cases packed in any one?—A. Well it would not apply to every year. Now, last year the Portland Packing Company closed down their factory and left the burden of lobsters with Sproule, the Digby man.

Q. They closed their factory altogether?—A. Altogether the latter part of the season.

Q. You say they closed down during the latter part of the season?—A. The latter part of the season.

Q. What was the reason for closing?—A. They said the price was too high, they could not buy. Eventually the lobster catch was left with the fishermen but Sproule he carried the burden through as well as he could. In that case he packed more than he had done in other years. I could not quite say how many cases he packed.

Q. Give us an idea of the earnings on the average of a fisherman? How much would he earn in a season just from lobsters alone?—A. From lobsters alone?

Q. Just the average, or what you think would be the average earnings of a fisherman?—A. I could not say.

By Mr. Maclean (Lunenburg):

Q. Take that class of man, how much would he earn?—A. Some would not earn \$50 a month.

Q. What would be the earnings of the big man?—A. The good man would earn probably \$350.

By Mr. Fraser:

Q. \$350 for the season?—A. Oh, no, for the month.

Q. How many months would the season extend over?—A. It opens perhaps from the 15th April to the 1st July, probably from the 20th April to the 1st July.

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Q. You have two classes of fishermen, deep water and shallow water fishermen?
—A. Practically so.

Q. You say practically?—A. Because the deep water fishermen cannot come in where the shallow water fisherman did on account of there being no room, no space.

Q. Has he been there waiting to head off the other man?—A. He has been waiting because he did not get any hardly the first part of the season. The man that is on the outer edge or in deep water then catches quantities of lobsters. We can put our gear down in deep water by about the 1st May. Then we would shift up a bit. In June we would shift a little more. Then we would come in further until our traps would be in one fathom of water, otherwise in stormy weather we would get them all smashed to pieces.

Q. I may tell the committee that is the custom in Prince Edward Island to shift their traps in. That is the way they follow the industry there?—A. But we have not the room for that now, there are too many traps. Our fishermen have got too many traps.

Q. Do you think there are enough canneries in your district?—A. Well, there was not last year, that is when the Portland Packing Company stopped because we only had one. There were only those two factories in Canso last year buying lobsters and when one stopped there was only one left.

By Hon. Mr. Brodeur:

Q. What was the reason given by the Portland Packing Company for closing their factory before the end of the season?—A. They said the price was too high, they could not afford to buy.

By Mr. Fraser:

Q. Is there any feeling there against the Portland Packing Company being allowed to do business?—A. Not at all, as far as I know.

Q. Would the fishermen sell their pack if they had a canning license?—A. I could not answer that question.

By Mr. Maclean (Lunenburg):

Q. Are you in favour of every lobster man being allowed to can his own lobsters if he wants to?—A. I don't think every one would be entitled to it. I know I would not if I was fishing lobsters, I would not know how.

By Mr. Fraser:

Q. Do you think the live lobster trade could be worked up?—A. It is all right if you could have the consumption for them, for your live lobsters.

Q. If the trade was started don't you think there would be a consumption here?
—A. I imagine there would. I don't see why Canada should be behind any other country in working up an industry.

Q. What transportation facilities would they require to have in order to establish a successful trade in live lobsters say to Montreal?—A. From our locality to Montreal?

Q. Yes?—A. We would want a railway.

Q. I understand there is a railway down there already?—A. Not within 30 miles.

Hon. Mr. BRODEUR.—Not at Canso. But you have got a boat to transport your fish to the railway?—A. It is very poor transportation.

Q. Shipments are made from Mulgrave to Montreal, do they not come from Canso?—A. Largely from Canso.

Q. And transportation is made there by this boat?—A. By this boat.

Q. What is the percentage of lobsters which are caught under the 8 inch size limit?—A. Well, I would say about 2 per cent in our locality.

Q. Just 2 per cent?—A. About that.

Q. I suppose there would be no objection then to carrying out the 8 inch regula-

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tion?—A. Not at all. I don't see that the percentage under 8 inches would affect either the packers or the fishermen.

By the Chairman:

Q. How does the size in your locality compare with the size in Richmond county?—A. They differ quite a lot.

Q. You have purchased lobsters in Richmond county?—A. Yes. They are a very much smaller size than in our county.

By Mr. Maclean (Lunenburg):

Q. You do not favour a reduction in size limit then?—A. I don't see that it is necessary.

Q. Do you favour a shortening of the season as Mr. Whitman stated?—A. I would only as I expressed a while ago that one-half our fishermen would not have the whole season, would not have an equal share with the other class that fish in deep water.

By Hon. Mr. Brodeur:

Q. Is there a larger percentage of lobsters under the size limit caught at Guysborough than at Canso?—A. I would not answer. I would not be prepared to answer that. I don't think there is much difference from Guysborough to Whitehead. I have purchased them at Whitehead up around the coast of Canso to Cape Breton.

By The Chairman:

Q. Do you think that extends to Halifax?—A. I could not say. I speak only of where I have worked.

By Hon. Mr. Brodeur:

Q. I am speaking of the district between Canso and Guysborough?—A. They are about the same from Guysborough to Whitehead. I imagine they would be about the same. But Cape Breton is quite different.

By Mr. Maclean (Lunenburg):

Q. Then the cannery are canning every lobster around the eastern end of Guysborough?—A. Pretty well, that is as far as the size is concerned.

Hon. Mr. BRODEUR.—I would like to ask Mr. Whitman a question. Mr. Whitman, in Guysborough is only 2 per cent of the lobsters caught under the size limit?

Mr. WHITMAN.—The lobsters are smaller. My contention is that they are smaller in the bay than they are at Canso. That would be my statement.

Q. What would be the percentage between 7 and 8 inches?—A. I would not like to make any statement.

Q. Would it be 10, 15 or 25 per cent?—A. Possibly there would be 15 per cent. I would say there would not be under that. My experience is that in the bays like Chedabucto they are small, there is a large percentage of smaller lobsters than there is on the outside coast.

By the Chairman:

Q. How many 8-inch lobsters would it take to fill a can?—A. It would take 9 or 10 now because there won't be half a pound of meat come out of a 8-inch lobster.

By Mr. Loggie:

Q. Would you tell us how many lobsters it takes on the average to fill a can for these factories?—A. I could not tell you that.

Q. Give it to us approximately?—A. A 10-inch lobster will weigh about 2½ lbs.

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By Mr. Maclean (Lunenburg):

Q. One lobster?—A. A 10-inch lobster that will weigh $2\frac{1}{2}$ lbs. That is unless I am away off.

By Hon. Mr. Brodeur:

Q. Are you very sure about those figures?—A. A 10-inch lobster generally weighs 2 lbs. with his shell on. I am thinking of the weight of the lobster with the shell on.

Mr. MACLEAN.—Mr. Todd has a gentleman from his constituency he would like to have called.

Mr. TODD.—I would say to the committee that Mr. Connors, who is a large packer of lobsters and other fish, has been up here on a delegation on other business, and I asked him if he would consent to be interviewed and he said that he would gladly appear before the committee.

The CHAIRMAN.—I want to ask Mr. Keating a few questions, he is here representing the Fishermen's Union of Canso.

Mr. ALEXANDER KEATING, called, sworn and examined.

By the Chairman:

Q. You live at Canso, Mr. Keating?—A. Yes, sir.

C You are the secretary of the Fishermen's Union there?—A. Yes.

Q That union consists of how many members?—A. About fifty. I do not know just how many.

Q. What is the number or name of the union?—A. No. 27.

Q. How long has it been in existence?—A. Since a year ago last May.

Q. Have you consulted the union relating to the lobster industry? Have you had any consultation with the union in your district?—A. I have, and if I may be permitted to say, when I received this notice from the committee to attend this meeting by the wording of the notice I did not presume or suppose I was wanted to come here with any particular cut and dried opinions on any particular class of fishermen or packers. However, I took it on myself to call a meeting and invited some in the district who wished to come in, and quite a few of the packers and others attended the meeting. I will be glad to give some of their views; at the time I did not know what questions would come up before this committee, and I just took a few notes at that meeting about what we thought would possibly come before us, and I can read them, if you like.

Q. What you are going to read to us is what was agreed upon at a meeting concerning the lobster industry?—A. It was not agreed upon—I am on my oath and of course I must be careful—it was not agreed on in the formal way that it was not passed as a resolution.

Q. But it was talked over and assented to by the meeting?—A. Yes. The first is, 'The season in Canso and vicinity.' The season works all right, we have three months, but often we cannot fish the whole time; generally there is not much doing before the 15th of April, and by the latter part of June the lobsters are getting scarce and we go at other fishing. As to the size limit, the eight-inch minimum size for packing lobsters also works well in Canso, as the lobsters here generally run a good size and the percentage taken under eight inches is very small. We do not consider that the change in the Massachusetts law allowing lobsters down to nine inches has benefited us, as by so many lobsters going in the market has been kept down and we have lost on the price of the large fish besides the shortness of work at the factories that are losing the work of packing. As to the canners' licenses, while in Canso we have four licenses granted to pack, two of these are worked and the other two have not been worked for the past six years. The holders of these two unworked licenses get a small pack put up for them, a sufficient number of cases to

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enable them to hold the licenses, which we do not think is to our interest and it should be done away with. Let any packer come in who would wish to. It might be well, however, to have all lobsters packed pass the government inspection.

Now, as to propagation, while there can be no question but that the better way would be to return the berried lobster to the sea, this has been found impracticable. The hatcheries established by the government do good work in helping along the propagation. We know from observation that at the hatcheries here the young lobsters come out and we have every reason to believe that good results will come from it, both to the fishermen and to the packer, who will be encouraged to save the eggs in good condition. The work of the hatcheries might be supplemented by pounds. That is about all the points that were dealt with at that meeting. We had no discussion, we did not know of any others, or we might have dealt with them.

By Hon. Mr. Brodeur:

Q. Will you tell me why it would be impossible to return to the sea the berried lobsters?—A. It would not be impracticable, but it has been found to be impracticable when the law was against the taking of berried lobsters.

Q. Has the law ever been different regarding the taking of berried lobsters?—A. I thought it had always been against the law to take the berried lobster?—A. The taking of berried lobsters was prohibited until the establishment of the hatcheries.

By Mr. Maclean:

Q. Since the hatcheries have been established down there the government buy the eggs from the berried lobster for the hatcheries.

By the Chairman:

Q. How did the Massachusetts regulations injure the Canadian fisherman. I understood you to say that the reduction of the size limit had worked to the injury of the fisherman?—A. There were so many market lobsters shipped during the month of June last year that the market prices in Boston slumped, and the result was that the packers lost a considerable portion of their supply and the fishermen did not get packing prices for their lobsters. The lobster market was overloaded, and then we lost all our markets. There is a considerable percentage of market lobsters, that is fish over 10½ inches, in our catch and in other years we have received a good price on those fish, whereas last year they were less in many cases than packing prices.

Q. You say that the market is limited for the fresh lobster, so limited that by the time the 9-inch lobster came in it broke the market?—A. The United States market was not limited of course, but so many more went in that it had the effect that Massachusetts wished, I suppose, it broke the market.

Q. They got the lobsters cheaper, and that is what they wanted?—A. Yes.

Q. Do you agree with the last witness that the usual lobster caught in your district is 8 inches and over?—A. There are very few under eight inches, not many under eight inches in our district.

By Hon. Mr. Brodeur:

Q. You told us that there are four canning licenses in Canso and that two of the factories have not been operated?—A. For the past six years.

Q. And they have been renewed every year by the people holding them?—A. That is the supposition.

Q. Will you give us the names of those people?—A. H. L. Foran, and the Whitman Fish Company is the other, or it may be in the name of A. H. Whitman.

By Mr. Maclean:

Q. Do you find the hatchery an aid towards encouraging the saving of seed lobsters?—A. They save the seed, of course, which goes to the hatchery.

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By Mr. Loggie.

Q. What happens to a lobster after the seed is taken?—A. They are boiled.

By Mr. Maclean:

Q. Who boils them?—A. The factories.

Q. Does the hatchery sell the lobsters to the canneries?—A. No, the lobsters are all taken into the factory and the factory is supposed to save the seed and send it to the hatchery.

Mr. CUNNINGHAM.—They appoint one of their men to take the seed from the lobsters and we pay that man.

By Mr. Maclean:

Q. Then does your association believe in unrestricted licenses for canning?—A. Yes.

Q. In the unrestricted issue?—A. Yes.

Q. They believe in giving a license to anybody and everybody?—A. Yes.

Q. Do you think that is wise, personally, I mean, I do not ask you to speak for the Association now?—A. I would think it is wise.

Q. Why?—A. I do not believe in shutting any one out who wishes to come in.

Q. Do you not think it is a serious thing to preserve the character of the goods to be canned?—A. There should be some provision made for that.

Q. Do you think that any man who is fishing can put up lobsters fit for the market?—A. No, I do not think that; but I believe in unrestricted issue of the licenses and not the limiting of licenses.

Q. Mind you, I am not talking about restricting it, but I ask you if you are in favour of the unrestricted issue of licenses?—A. Yes, because I do not believe it will make any difference at present.

Q. In what way?—A. Because it is not bringing in any more at present.

Q. What good would it do to issue them wholesale?—A. Well, the law would not be there and they would not feel badly about it.

By Mr. Warburton:

Q. Your idea is that every one would get an equal chance?—A. That is my idea.

By Mr. Maclean:

Q. Do you not think it will hurt the lobster business if some fellow comes along some day, and puts up a lot of lobsters improperly, will it not hurt the trade?—A. There should be some provision that they are to be put under government inspection. But there isn't any fear in these days, particularly, of lobster men putting up bad lobsters; the market is too particular. If they did put up bad ones one year they would likely go out of business the next.

Q. Perhaps you might put the consumer out of business?—A. Well, there is a risk in eating canned goods anyway, no matter by whom they are put up.

Q. Would you favour a restriction of the season, a shortening of the season?—A. As far as my own opinion goes I think that should be governed. If the lobsters hold out as they are, probably we can get on as we have been going; but as soon as they show a serious decline—they seem to be holding their own for the past five years pretty well—but as soon as they show a decline something will have to be done, and that will be one of the easiest and best things to be done, the shortening of the season at the end of the season, because to shorten it at the beginning would not be any good as regards the lobster industry, because there are not very many berried lobsters at that time.

By Mr. Mackenzie:

Q. Is there, then, a certain season in which you can fish lobsters; supposing there were no regulations regarding the time, are there certain portions of the year when you could catch lobsters and others when you could not, supposing the season permitted it?—A. We could not get them in the winter.

Q. But at other seasons of the year?—A. You could get them from spring to fall, but no one would want to fish in August, when they are soft shelled.

Q. They are not fit to fish then?—A. No.

Q. But take codfish, there are certain times of the year when you can get codfish, and there are other times when you can not?—A. Yes, but codfish are different. There are certain times of the year when they come in, and then they pass out, but the lobster comes to the shore in the spring and stays until the fall, and moreover he is particularly easy to catch in the smooth weather in the fall. You will catch as many lobsters in one month in the fall as you will catch in the spring from the fact that everything favours the fishermen. You can fish every day, the weather will probably be fine every day, and the lobsters then will be spawning.

Q. Is the fall their spawning season?—A. Well, along in August and September.

Q. You say that in the fall you can get more lobsters but that they are not marketable then owing to the soft shell?—A. Only during August, they are shipped from say September.

Q. In September and October they are all right?—A. From the latter part of September and October.

By Mr. Loggie:

Q. Give us a reason why the Portland Packing Company closed their factory, what is the reason?—A. The fact of the matter is that the lobsters got too high.

Q. What prices were they paying for them at canneries?—A. They were paying \$4.25.

Q. That is \$85 per ton?—A. For lobsters, and that I consider too high for packing, and that is what is the matter with the market to-day.

Q. I do not know that it is too high with the extreme prices for canned lobsters last year?—A. I know the canned lobsters came too high.

Q. They closed, you say, because they could not make a profit in the operation of the factory, that is the reason they closed? Is not that the reason?—A. Undoubtedly.

Q. If they had operated two factories, the one beside the other, would they not have made less profit on the lobsters just in order to keep the two factories going? They could put them up at less cost per case in the one packing than they could in two packings—in order to make ends meet they would have to pay less for the lobsters, to the fishermen, if they operated two factories at additional expense than if they operated one.—A. I suppose so.

Q. Can you tell us how many lobsters it takes for the can?—A. I cannot.

Q. How many approximately?—A. I cannot tell you. I am a fisherman, but not in the lobster business. But I think I have heard it said that it takes 5 lbs. of green lobsters to make a pound of meat.

Q. And very good lobsters at that?—A. But what their average for the season was I could not say.

Q. Can you tell how many lobsters there would be in that five pounds of green lobsters, or how many fish, in actual lobsters, you would have in 100 pounds of green fish?—A. I could not tell you that.

By Mr. Mackenzie:

Q. Just one question, perhaps you have already answered it. You are secretary of that association?—A. Yes.

Q. If you had influence, or supposing that you were a legislator and had the

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power to better matters down there, what would you tell this Committee you would do in order to better the condition of the fishermen, and at the same time to conserve the fish, that is in the lobster trade; is there anything in particular strikes your mind that should be done?—A. I think I would raise the limit up to what it was before. It is now eight inches, is it not?

Q. Yes. A. I would raise it to nine inches, and if it should go below that I would abolish it altogether, and then centre my interests in the seed lobster. If the size limit was not workable I would abolish it altogether and look to the seed lobster.

The CHAIRMAN.—How large is the lobster before he has berries on?—A. They say about 9 inches.

By Mr. Mackenzie:

Q. One thing you would do, you would put the lobster limit at nine inches, that is the smallest lobster you would catch?—A. Yes, that is if I was looking at the interest of the fishery, that only suits our particular section.

Q. You are only talking of your own section.—A. As we go north the lobster is correspondingly smaller; in fact as we go two miles up the bay they are smaller.

By Mr. Maclean:

Q. Do the cannery observe the rules pretty well as regard the size?—A. Excuse me?

By Mr. Mackenzie:

Q. Would you shorten the season?—A. I would shorten the season.

By Mr. Maclean:

Q. Do the cannery observe the rule pretty well as regards size?—A. I cannot just say.

By The Chairman:

Q. Do they pack everything that comes to them?—A. I daresay; oh, yes, they do. With a size limit as it exists now in Canso of eight inches, there is not much trouble, because there are not many lobsters under eight inches in Canso. I have my own opinion of the fisherman who will bring a lobster less than that from the sea, because they will scarcely live until they get to shore. The lobsters are brought in by smack. Very few of the fishermen bring them direct to the factory, they are put in cars and shipped in, and stay in the cars probably four or five days.

Q. They observe the law pretty well, then?—A. They are not of much use to them, because when they get down so small as that, if you put a lobster of that size in the car with other lobsters they are eaten up in a few minutes.

By the Chairman:

Q. Do you think the lobster is smaller in Cape Breton than in other parts of Nova Scotia?—A. I think so.

Q. Have you any proof of that.

Mr. MACKENZIE.—You had better not follow that question up too far.

Mr. MACLEAN.—It is a possible thing.

Mr. MACKENZIE.—I do not think it is probable or possible.

By the Chairman:

Q. There is a time when the lobster ceases to cast his shell, at a certain age?—A. Yes.

Q. If you found a lobster of that kind you would know, I suppose, whether it would be full grown—that is if it was not a dwarf?—A. Yes.

Q. Are there any lobsters of that kind taken; do you know a lobster, that it is full grown, when you see it? They say that a lobster is full grown when you see

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barnacles on his shell, that he could not possibly have shed his shell that year. But I have heard fishermen say occasionally that they come across lobsters under nine inches on our coast with hard shells, and I have heard other fishermen say, before I became a packer, that up north they have found lobsters smaller than that with hard shells, under eight inches, that had practically come to their full growth.

Witness retired.

Mr. LEWIS CONNORS, of Connors Bros., Limited, called, sworn and examined.

By Mr. Maclean:

Q. You belong to New Brunswick, Mr. Connors?—A. Yes.

Q. You reside where?—A. Black's Harbour, Charlotte county.

Q. Do you can there?—A. Yes, sir, we can there.

Q. How many cases do you can during the year?—A. We do not can as many lobsters as we do other fish.

Q. How many lobsters?—A. Of late years only 200 or 300 cases.

Q. What is the length of the lobster season there?—A. The lobster season there is from January to the 15th of June, I think.

Q. What is your size limit?—A. Nine inches.

Q. Do your fishermen observe that law pretty well?—A. Pretty well.

Q. How do you do in your business as to the size limit?—A. We do not buy them; it does not pay us to take them under nine inches; it would not pay us to take small lobsters.

Q. So you keep it pretty well?—A. Pretty well, yes, sir. Sometimes we ship live lobsters to the States and to Montreal. They are nine and ten inch lobsters, and we ship them through to New York alive, that is sometimes when the price is good. And when the price is not good, there are other shippers besides ourselves, we can them. Some seasons we can a thousand cases.

Q. Does the season seem to satisfy your people pretty well there?—A. It satisfies us canners very well, but the fishermen complain that they would sooner have an open season so as to fish the year round the same as they do on the coast of Maine. That is the reason that, you take October, November and December, the lobsters come in shore so that they can catch them better than in January, February or March.

Q. There is no season limit in Maine?—A. No, it is an open season in Maine.

Q. Well, is there any complaint about the size limit in your district?—A. About the size, no, I hardly ever hear any complaint about that.

Q. They are satisfied?—A. Yes, satisfied.

Q. And they observe it pretty well?—A. Pretty well, yes, there may be a small percentage there under size.

Q. How many canners, licenses are issued in that county?—A. Three, I think. Burnham & Morrel, one to B. A. Williams and one to Connors Bros., Limited, that is all.

Q. Are there any demands for more licenses?—A. I have not heard of any.

Q. And you do not want to hear of any?—A. No, we do not want to hear of any more. I do not think it is well to give everybody a license, because perhaps they might not understand packing lobsters, and to get bad goods on the market, of course, we understand that is injurious to the canned goods trade.

Q. What is about the minimum charge for operating a canning factory during the season?—A. The minimum charge?

Q. Yes, the cost?—A. Lobster packing?

By Hon. Mr. Brodenr:

Q. The fixed charges?

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By Mr. Maclean:

Q. The minimum fixed charges?—A. What do you mean, the cost of putting up the goods?

Q. Yes, to run a small-sized plant by an ordinary packer?—A. That depends a good deal upon what kind of rig you have, what boiler, steam, &c.; you mean what a factory will cost?

Q. Yes?—A. Well, a good rig to put up lobsters will cost about \$6,000 to \$10,000.

Q. What do your wages amount to annually, in your own case?—A. Of course, although this is a lobster factory, we put up other goods, you know, besides lobsters.

Q. I see, so you cannot separate them?—A. No, I cannot separate them.

Q. You are pretty well satisfied with things as they are?—A. Yes, they suit us pretty well as they are. The fishermen would like an open season to fish all the year round, so as not to have to break the laws. They would like to fish in October. There is a general complaint that we should have the law shaped so as to allow fishing all the year around.

By Hon. Mr. Brodeur:

Q. Do the canners observe the close season?—A. Yes.

By Mr. Maclean:

Q. Do the fishermen observe it pretty well?—A. It is pretty hard for a packer to always tell what the fishermen are doing.

Q. You would not favour the abolition of the season limit?—A. That is an open season you are on now?

Q. Yes?—A. I think I would.

By Mr. Todd:

Q. If you made it a 10½-inch limit would not that be satisfactory?—A. No, I do not think so. I think there are a great many lobsters below 10 inches, especially on Grand Manan. Of course, in these deep waters we catch large lobsters, there are very few little ones. That will be all right for places like that, but take a good many places where the lobster runs pretty small, from eight inches to twelve inches, it would not be all right.

By Mr. Maclean:

Q. Do the Charlotte county fishermen tempt you now by bringing berried lobsters or undersized lobsters?—A. Sometimes they ask us if we will take them.

Q. You always say, no?—A. Really it would not pay us to take them.

Q. Have you any suggestions to make to the Committee about lobsters?—A. There is this I would say about it, that from what I hear in talking, and what I know about it, I think that in different localities it would be of advantage to them to have different open seasons, and perhaps different sizes.

Q. In one county?—A. In one county or in several counties. You know there are a good many counties on our coast.

By the Chairman:

Q. That is what we have now, we have eight or nine districts and we have three size limits?—A. Then I do not see that you could have it much better than what you have.

Q. What do you say about the lobster industry in your district, do you find the lobsters getting smaller year by year?—A. The last eight or ten years they have not, but I can remember that twenty years ago we used to ship lobsters to the States. At one time we used to ship all the lobsters between St. John and Eastwood, and we

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used to buy great big lobsters, four or five pounds, for four cents apiece. The price kept going up until this last winter we were paying as high as 28 cents and up to 35 cents apiece for these big lobsters. The greater part of these lobsters are shipped away and there are a great many small ones, and it is only now and again that we have a chance to get lobsters to can.

Q. Do you say that within the last ten years there has been no change?—A. No, I do not think there has been any change in that respect.

Q. You have no hatchery to help you there?—A. No, that is one thing I would recommend that there should be a hatchery on the coast of Charlotte county.

Q. Are there any on the coast of Maine?—A. Yes, there are some on the coast of Maine, some hatcheries.

Q. What is the system adopted in dealing with berried lobsters there?—A. I think the American Bureau employs buyers to obtain them.

Q. What do they do with the lobsters after taking the berries?—A. I understand they take them away to the hatcheries. The Americans buy a great many very small lobsters.

Q. They have pounds, have they?—A. Yes, and the American buyers come in and buy a good many of their large lobsters and small ones too.

Q. Well, if the season were made an open one all the year round, what would be the purpose of putting lobsters in pounds? A. Well it is to protect the spawn.

Q. Do they keep them there always?—A. In these pounds? I don't know very much about a pound.

By Hon. Mr. Brodeur:

Q. They sell them at a good time?—A. In these pounds they can hold the lobster until the price goes up.

By the Chairman:

Q. You are not familiar with the way they deal with berried lobsters?—A. No. They handle them in these pounds or hatcheries. I don't know very much about them, but I understand they are a great advantage to the lobster industry.

By Mr. Todd:

Q. In the interest of the fishermen and of the canning factories would you consider that 9 inches was a good size?—A. I would say that was a good size.

Q. Is the market increasing every year for the sale of live lobsters?—A. Yes, there is a big sale for live lobsters in the States—in Boston, New York and Portland, Maine.

Q. How many did you sell last year from your factory?—A. We went out of the business a good deal because there are so many buyers that come there and ship themselves. Years ago we used to ship thousands of barrels to Boston.

Q. How many tons did you ship in a year by barrel?—A. We only shipped from about 5 to 10 tons. We went more into the canned goods business, sardines and things like that. There were times when we used to can as high as a thousand or two thousand lobsters.

Q. Do you not think that a large market could be made in Canada for live lobsters?—A. I don't see any reason why. They can be shipped alive as far as Montreal, it depends a good deal upon the facilities for carrying them. Of course, there needs to be great despatch in carrying them alive. Or they can be boiled and shipped that way.

Q. Do you think there is a good opening for live lobsters?—A. There should be, the market should increase. We sent some to Montreal that proved very well. But after we get our system of quick dispatch from our shores to St. John, as we were talking about, then we will be in a better way to get them forwarded quicker.

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Q. Do you not think it would be well if pounds could be established in our county and prevent the berried lobsters from being taken over to the shores of Maine?—

A. I think it would be a big advantage. It would keep the lobsters on the shores of Charlotte county instead of taking them away to the States. That is the way the thing has been going on. The lobsters have been sent away, thus robbing our own shores. They have only been commencing for the last three years taking them away, but, of course the lobster is looked upon as a pretty valuable thing nowadays more than used to be the case. The markets are up to that idea, they see that it is a good thing for them. Therefore, it would be a great advantage to save the lobsters for the shores of Charlotte county. It would be a good thing to look after that.

By Mr. Mackenzie:

Q. You would prevent seed lobsters from being taken out of the county?—A. How is that?

Q. Would you stop the exportation of seed lobsters altogether?—A. Yes, it should be stopped.

Q. Do you think it is a bad policy to allow that trade to go on?—A. It is a bad policy to allow them to go out. The seed lobsters should be put back into the water as they used to be.

Q. Have you any theory of yours for the preserving or saving of the lobster?—A. Are you speaking of the seed lobster?

Q. Yes?—A. That is the preserving of it?

Q. Yes, say that until it would propagate?—A. No, I never experimented in that.

Q. You have no theory of your own?—A. No. I understand about the canning of lobsters, but I never caught any lobsters myself.

By Mr. Loggie:

Q. Under the new law you can export everything in a fresh condition to the United States?—A. Yes, all shell fish is exempt under the Washington Treaty.

Q. Lobsters nine inches are allowed on the Boston market?—A. Yes, at the present time, but not in the State of Maine.

Q. That is only within the year, is it not?—A. We have been shipping small lobsters to New York, and other shippers have too, for the last eight or ten years.

Q. I thought they raised the size in Boston a year ago or something of that kind?—A. They did in Boston, but we used to ship to New York.

Q. You were shipping from nine to ten and a half inches?—A. From nine to ten and a half inches.

Q. How many lobsters would it take to make a pound can?—A. Our average was five lobsters.

Q. Five lobsters to the pound can?—A. Yes, to the pound can, but you know that would not mean a pound of solid meat. You would know that, as you have been packing lobsters yourself.

Q. It would be pretty nearly a pound of solid meat?—A. Pretty nearly.

Q. I know what you are referring to, you refer to the presence of a little fluid?—A. A little fluid, yes.

Q. How is it with the lobsters now, just as you get them; how many would it take to the can?—A. Between nine and ten and a half inches?

Q. Take them as they are brought on shore?—A. Well that is the size we can. It takes just the same now as it did formerly.

Q. Do you can lobsters over 10½ inches?—A. Those are generally shipped away, there is more money in shipping them away, you know. Of course, there are times when you can lobsters that are larger because you cannot ship them fresh.

Q. The conditions are entirely different from ours?—A. The conditions are entirely different.

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Q. You say about five lobsters to the can?—A. About five is the average, yes.

Witness discharged.

Hon. Mr. BRODEUR.—Mr. Kemp, the department's expert on oyster culture, has been waiting to undergo examination, but we have been requested by the Premier of Nova Scotia to allow him to give evidence before a committee of the legislature on Tuesday next. I think that before he is examined at Halifax we should examine him here. I do not know whether the committee would be willing to sit to-night for that purpose. I am afraid it would be pressing the thing too much on the good will of the members of the committee, and moreover we are almost surfeited with lobster. Mr. Kemp tells me that he will not be ready to give evidence this evening, therefore we had better adjourn until Thursday morning for that purpose.

Committee adjourned.

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COMMITTEE ROOM No. 30.

HOUSE OF COMMONS,

Thursday, April 1, 1909.

The Select Standing Committee on Marine and Fisheries met at 11 o'clock a.m.

Mr. DANIEL.—The Chairman not being present I move that Mr. Kyte take the Chair.

Mr. JAMESON.—I second the motion.

Motion agreed to.

Mr. JOHN S. COUSINS, Park Corner, New London, P.E.I., called, sworn and examined.

By Mr. Fraser:

Q. Are you engaged in the lobster business?—A. Yes.

Q. How long have you been engaged in that business?—A. About 15 years.

Q. What part of the lobster business are you engaged in?—A. In canning.

Q. You are a canner?—A. Yes, sir.

Q. How many factories have you got?—A. One.

Q. Where is it situated?—A. At Park Corner.

Q. Is that on the north shore of Prince Edward Island or the south?—A. It is on the north side of Prince Edward Island.

Q. That is near Malpeque?—A. It is within five miles of Malpeque Bay.

Q. Are there many other factories near yours?—A. Yes, sir, quite a number.

Q. About how many cases of lobster did you put up last year and the year before?—A. About 400 cases last year.

Q. At one factory?—A. Yes, sir.

Q. How many boats would you employ for supplying lobsters for canning of those 400 cases?—A. Six boats.

Q. How many men to a boat?—A. Two to each boat.

By the Chairman:

Q. Is that the only source of supply, these six boats?—A. Yes, sir, those six boats.

By Mr. Fraser:

Q. This is altogether your own business?—A. Yes, sir.

Q. What was your average pack for the last five years, about the same, I suppose?—A. No, the average pack for the last five years would be under 300 cases.

Q. Last year you had a really good catch?—A. Yes, sir, in 1907 and 1908 we had about the same amount each year, canned about the same number of cases each year.

Q. You had more in those two years than in the two years previous?—A. Yes.

Q. Do you find that lobsters are diminishing or increasing in the waters you fish?—A. Well, they were as we thought diminishing up to 1907. In 1904, 1905 and 1906, they were not plentiful.

Q. That is three years?—A. Three years.

Q. They were plentiful during the last two years?—A. The last two they were quite plentiful.

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Q. Have you anything with you showing your average pack for the last ten years?
—A. No, I have nothing to show, I have no records to show.

Q. As to the quantity of the lobsters obtainable, what is your opinion? Do you think the lobster is becoming more scarce or more plentiful? What is your opinion upon that?—A. Well, under ordinary conditions they are getting very much scarcer.

Q. You think although you had better packs during the last two years that the lobsters are getting scarcer?—A. Yes, sir; that is in the natural course of events they are getting scarcer.

Q. What do you mean by 'the natural course of events'?—A. They are gradually diminishing, that is what I mean.

Q. You mean diminishing in size do you?—A. Well, not any more in size than in quantity, I think.

Q. How does the size of the lobsters taken now compare with those caught three or four or five years ago? Is the average lobster getting smaller in size on the average than it was four or five years ago?—A. Well they were very much larger in 1907 and 1908 than they were previously, for several years previously.

Q. They were larger in size as well as more plentiful?—A. Yes, sir.

Q. Do you know any cause for the increase during those two years?—A. Well, I think I do.

Q. Would you state that cause to the committee?—A. I think it was caused by the ice. You know where we are located, it is in the bend of the island.

Q. In the bight?—A. In the bight of the island and in both years there was a large quantity of ice came in near the land, within about four or five miles of the land, and those lobsters seemed to come in before that ice and to stay there. That is how we account for those large catches in those two years.

By Mr. Daniel:

Q. How deep in the water would that ice be?—A. Well, there was some of that ice came in as near as eight fathoms and grounded there.

Q. Grounded at eight fathoms?—A. Yes, sir.

Q. Is the water in that part of the country shallow or deep, would eight fathoms depth be far out from the shore?—A. Yes.

Q. How far?—A. Oh, well, it is all owing to just where it may get, there are deep places and shallow places—reefs.

Q. Would it be three miles?—A. No, eight fathoms would not be three.

Q. Would it be two?—A. It would be from two to two and a half.

Q. Between two or three miles?—A. That is in some places. Of course there is deeper water inside that again.

By Mr. Fraser:

Q. Have you ever noticed in any other year that in consequence of the ice coming in lobsters have been more plentiful?—A. Not in my experience.

Q. Have you ever heard any one else say they have?—A. Yes, sir.

Mr. FRASER.—I may say to the committee that I have heard that when there was a lot of ice on the north side of the island lobsters seemed to be more plentiful.

Q. You have heard fishermen say that?—A. Yes, I have heard that.

By the Chairman:

Q. How did the catch in other sections of Prince Edward Island last year compare with that in your section?—A. I have to take the island all around to get what would be the average.

By Mr. Fraser:

Q. Especially on the north side, you may be sure of that?—A. Quite sure, yes.

Q. Had you, or your men, much more gear out in 1907 and 1908 than you had

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in 1905 and 1906 ?—A. Well, I don't think they had. They had the same number of boats. The gear might have been increased a little, but very little.

Q. What is your fishing seasons there ?—A. Well, the season commenced April 20 and ends July 10.

Q. Are you satisfied with that regulation ?—A. Well, personally I am not satisfied.

Q. Why are you not satisfied ?—A. Well—

Mr. DANIEL.—You want to get more lobsters I suppose ?

The WITNESS.—Well, the first part of the season where we are situated we cannot take advantage of it until May 1.

By Mr. Fraser:

Q. On account of—?—A. The ice. In the fifteen years I have been canning I have never got lobsters once in April, in the month of April.

Q. Now, Mr. Cousens, would you recommend a change in the opening date for Prince Edward Island or for the district you know ?—A. I would for the part that I know.

Q. What change would you recommend for that ?—A. I would recommend the 1st day of May for the opening.

Q. And about the closing ?—A. The last day of June.

By Mr. McKenzie:

Q. How far does the season extend into July now ?—A. Ten days.

Q. You would cut ten days off ?—A. Shorten the season.

By Mr. Fraser:

Q. You have heard about the new regulation, has it been put in force this year ?—A. Yes.

The season opens now on April 26 ?—A. Yes.

The CHAIRMAN.—They are seeking to make the change to that date.

Mr. FRASER.—I think the minister said the other day that he was going to put the new date in force. It was a change unanimously recommended by the legislature.

Mr. MCKENZIE.—Did you ask him if he thinks the legislature represents the views of the lobster people ?

Mr. FRASER.—There is one part who wish to have it on May 1 and the other want it the old date, so they compromised and adopted April 26. That is the new date.

Q. Have you any knowledge of the lobster industry on the south side of the island ?—A. No, sir, I have no personal knowledge of it.

Q. Now then we will come to the size limit. I suppose you know what is the size limit on Prince Edward Island—A. Yes.

Mr. MCKENZIE.—Is it the same uniform size all around the island ?

Mr. FRASER.—Yes.

Mr. MCKENZIE.—And the season is uniform also ?

Mr. FRASER.—No, not quite, there is one part that is not the same. The season is different, is it not, Mr. Cousens ?

The WITNESS.—Yes, that part from West Cape to Cape Tormentine.

Q. They have a different season ?—A. A different season.

Q. The size limit is about 8 inches ?—A. It should be, yes.

Q. I suppose you never caught any lobsters under 8 inches ?—A. I cannot say I caught them myself; I have seen them caught.

Q. You are aware that the size limit regulation is not observed ?—A. No, sir, it is not observed.

Q. Can it be observed and the canneries run in Prince Edward Island ?—A. Oh, it is possible it could be observed.

Q. If the regulation was enforced this year would you be canning lobster ?—A. Would I be canning lobsters ?

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Q. During the coming season would you keep your factory open?—A. I certainly would.

Q. What percentage of lobsters of 8 inches and over do you get, to your knowledge, in your district?—A. Well, the percentage would be very small if we had the season that I mentioned. The percentage of—oh, well of anything under 8 inches would be small.

Q. If you had the season you recommend?—A. Yes, that I recommend.

Q. You say the percentage under 8 inches in that case would be—?—A. It would be small. I could hardly say what percentage it would be.

Mr. McKENZIE.—Why would the percentage of small lobsters be reduced by the change of the season?

By Mr. Fraser:

Q. Taking the former season, not the new one, what percentage of the lobster catch was under 8 inches in your district, the lobsters that your own fishermen brought into your factory during the last two years?—A. Well, during the last two years the percentage would be very small.

Q. Of lobsters under 8 inches?—A. Yes, under 8 inches the percentage would be small. I could not exactly say what the percentage would be.

By Mr. Daniel:

Q. Would it be one-half?—A. No, sir.

Q. Would it be 25 per cent?—A. No, it would not be 25; it might perhaps be 20 per cent.

Mr. McKENZIE.—Twenty per cent would be very heavy, one in every four.

By Mr. Fraser:

Q. If the new regulation went into force you think there would be even less than 20 per cent under eight inches in size, do you?—A. Yes, I do.

Q. Why do you think that?—A. That is estimating it by the last two years.

Q. Why do you think that?—A. Why would the percentage be less if the season was shortened, that is your question, is it?

Q. Why would the percentage of small lobsters be less?—A. Because we get the greater number of small lobsters in the late part of the season.

Q. That would be in July, say?—A. Say July.

Q. That is a very good reason. Would you make any recommendation for a size limit?—A. No, sir, I could not make any recommendation.

Q. What size limit do you think would be observed if put in force in Prince Edward Island?—A. Well, would it be observed voluntarily?

Q. Yes, it would have to be voluntarily?—A. Well, I could not say.

Q. Will they observe any size limit?—A. No, I don't think it.

Q. You do not think they will observe any size limit?—A. I don't think it.

By Mr. Daniel:

Q. You say that the size limit is not observed?—A. No, sir.

Q. Are there any fishery overseers or inspectors down there?—A. Yes, sir.

Q. There are a great many of them, are there in your own district?—A. Well there is one in that large district there.

Q. There is one?—A. Yes, sir.

Q. Does he ever visit your establishment?—A. Yes, sir.

Q. Has he ever seen under-sized lobsters in your place?—A. Well, if the lobsters were there he would have seen them, but I could not say whether he ever—

Q. Did he ever report you for having under-sized lobsters?—A. No, sir.

Q. You never were fined for having them?—A. No, sir.

Q. In your experience is there any attempt whatever made to carry out the law with regard to the size limit of lobsters?—A. Not any.

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Q. None whatever ?—A. None whatever.

Q. But as a matter of fact lobsters of any size that may happen to come into the fisherman's boat are bought by the canners and canned, is that your experience ?—A. Yes, sir.

Q. That is absolutely so ?—A. Yes, sir.

Q. No attempt is made to enforce the law ? Have you formed any ideas with regard to the habits of the lobster, as far as its breeding is concerned, or the size limit which should be adopted in order to have the industry expand and the number of lobsters increased ?—A. As to what size ?

Q. As to really enforcing the law which would prevent the catching of lobsters under a certain size ? We have had it stated here, for instance, that there is hardly any lobster under the size of 9 inches that carries eggs. Have your studies or experience led you to view the matters of that kind and to form any idea as to what size limit should be enforced in order to protect the industry ?—A. Well, I cannot say. If it comes to the berried lobsters the larger the lobster the more berries there are on them.

Q. What is the smallest sized lobster that you have seen with berries on it ?—A. I have seen them on very small lobsters.

Q. What size ?—A. I would say 7 or $7\frac{1}{2}$ inches.

Q. Seven or $7\frac{1}{2}$ inches ?—A. Yes, I have seen berries on lobsters that small.

Q. Have you seen that frequently ?—A. No, sir, not frequently.

Q. Prof. Prince said that there was only one in about 100,000 lobsters of the size of $7\frac{1}{2}$ inches, I think, that bore eggs.

Mr. CHISHOLM.—Was it not Mr. Baker who said that ?

Mr. DANIEL.—Yes, Mr. Baker.

The CHAIRMAN.—And Prof. Prince corroborated his statement.

Mr. DANIEL.—Prof. Prince corroborated. In fact he went further I think and said there were very few lobsters under 9 inches that carried berries. Is that your experience ?—A. The percentage is small, of course.

Q. You say there is no attempt made to carry out the law in regard to the size limit in Prince Edward Island. Is there any reason why the law should not be enforced, is there any difficulty in enforcing the law when the officers undertake to do it ?—A. Oh, it is possible it could be done ?

Q. How would you suggest that it should be done ?

Mr. MCKENZIE.—That is hardly a fair question.

Mr. DANIEL.—Mr. Baker answered the same question very fully.

Mr. MCKENZIE.—It did not bother, Mr. Baker.

The WITNESS.—If you would put an inspector in each boat that would be one way of enforcing it.

By Mr. Daniel:

Q. What other way would you suggest ?—A. Well, it is just about the only way that I can think of.

Q. What about putting an inspector in each cannery ? How would that strike you ?—A. I don't think that would give the department very good satisfaction.

Q. Satisfaction to whom ?—A. To the officer in charge.

Q. Why ?—A. Well those lobsters come in in large quantities, and it would be necessary for him to handle all those lobsters singly.

Q. Why would that be necessary ?—A. To get those small ones.

Q. Cannot a man measure the size of a lobster very readily with his eyes ?—A. Yes.

Q. An officer used to the work ?—A. Yes.

Q. Then why should he have to handle every individual lobster ?—A. Well they come in in crates, they are taken in crates from the boats.

Q. Supposing an officer went into your factory and saw under-sized lobsters there

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and reported you, and kept on reporting you every time he found those lobsters there, would you not in your own defence come to the conclusion that it would not pay you to have any undersized lobsters or to buy any?—A. I certainly would.

Q. And don't you think that would put a stop to the fishermen bringing them in if the canners refused to buy them?—A. Yes, it would put a stop to us all right. It would stop it all right, stop the canner.

Q. You said just now in answer to Mr. Fraser that your catch was at least 75 per cent of legal sized lobsters?—A. Yes, sir.

Q. Then would 20 per cent of that catch put you out of business?—A. Yes, 20 per cent of that catch would put me out of business. It would not put—I want to be understood about that. It would not put the cannery out of business but it would be impossible to get the fishermen to catch them. That is what I meant by that.

Q. It would be impossible to get the fishermen to catch them?—A. Yes, sir.

Q. Then your idea is that to enforce the size limit would prevent the fishermen from engaging in lobster fishing, do you really think that is so?—A. Yes, sir, I do, that is so.

Q. You think the fishermen would take no trouble to catch lobsters under those circumstances?—A. There would be——

Q. Although 75 or 80 per cent of them are of legal size?—A. Oh, there would be some engaged in it of course. There would be a small percentage of them engaged in it because they have nothing else to do.

Q. What do you think would be the effect on the industry if the size limit were to be enforced, would it improve the industry or not in your opinion?—A. Oh, if it was strictly enforced I think it would have that effect.

Q. You think it would have a good effect? Is it not a fact there is much more meat in the large lobsters than in the small ones? That is to say it takes so much fewer of them to fill a can and all that?—A. No, sir, such is not the case.

Q. In what way is it not the case?—A. Well, it takes less pounds of small lobsters to fill a case than large ones.

Q. It takes less pounds?—A. Less pounds, yes. They are all bought by the pounds, per hundred pounds.

Q. Do you put the shell in the can too?—A. No, sir, but we have to buy the shell.

Q. Then after all it is what you get into the can. It is not the shell that you have to buy that you put into the can it is the meat that fills the can. You have to fill your can haven't you?

Mr. McKENZIE.—What the witness means is that out of a pound of small lobsters you will get more meat than you would out of a pound of large ones.

By Mr. Daniel.

Q. Would you approve of having these laws rigidly enforced for the sake of the industry?—A. Yes, for the sake of the industry I would.

Q. You think then that if there was a little lessening of it for a year or two the result in the end would be of great advantage to the industry?—A. Yes, sir.

By the Chairman:

Q. Mr. Cousens, what effect have the lobster hatcheries had upon the lobster supply in Prince Edward Island?—A. Well, I have had no chance to have any experience.

Q. There are no hatcheries on your side of the island?—A. Not on our side of the island.

By Mr. Chisholm (Inverness).

Q. Your operations are entirely on the north side of the island?—A. Yes, sir.

Q. What percentage of the lobsters you get there are berried lobsters?—A. What per cent?

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Q. Yes, roughly speaking?—A. To take the average of the season as we have it now I would say there would be perhaps from two and a half to three per cent. I would say there would be that amount.

Q. Am I to understand from that, that at particular parts of the season you get more berried lobsters?—A. Oh, certainly.

Q. In what part of the season are the berried lobsters most plentiful?—A. In the latter part of the season.

Q. Roughly speaking, what percentage of the catch are berried lobsters, say for the last 15 days of the season?—A. I would say perhaps 4 per cent the last 15 days.

Q. In your opinion what is being done with these berried lobsters by the fishermen there?—A. What is being done with them?

Q. Yes?—A. That is to say what the fishermen do with them?

Q. Yes.

Mr. DANIEL.—It is hardly necessary to say, the witness smiles enough.

A. Well, speaking from personal experience, I don't think I can answer the question. I know we don't get them in the cannery that is all.

By Mr. Daniel:

Q. There are no berries on the lobsters when you buy them?—A. Not when we buy them.

By Mr. Chisholm (Inverness):

Q. Do you think it would be possible to induce the fishermen to save the berried lobsters?—A. I think it would. I think it would be possible to get the fishermen to save them.

Q. What would you suggest should be done to induce the fishermen to save the berried lobsters, that is not to destroy them?—A. I would suggest that the department buy them, pay the fishermen for them, and make use of the spawn or berries.

Q. Do you suppose that if the department paid 50 per cent more for these berried lobsters than you would pay for the regular catch it would induce the fishermen to save them, I mean roughly speaking?—A. Yes, I think it would be satisfactory, I think it would.

Q. Following out that suggestion what would you say the department should do with these lobsters?—A. I would suggest they would have hatcheries along the coast and make use of them in that way.

Q. In your opinion then there would be no difficulty in getting the fishermen to save the berried lobsters if they get a market for them?—A. Yes, if they were remunerated in some way for them they would certainly do it.

Q. You have what are known as natural spawning grounds, particular bays, in your section of the country have you not?—A. Yes, we call them natural hatching grounds or spawning grounds.

Q. Have you got many of those bays?—A. Well, we have two.

Q. What do you call them?—A. One of them is Richmond Bay and the other is New London Bay.

Q. There are a great many factories there, are there not?—A. Yes, quite a number in Richmond Bay.

Q. Do you know how many?—A. I think, speaking offhand, there are sixteen large factories.

Q. Is it a large bay?—A. Yes, it is a very large bay.

Q. Is it the sea coast line?—A. It is a harbour bay you know.

Q. And there are 16 factories?—A. In that bay, yes.

Q. I may explain to the committee that I am asking these questions in behalf of Mr. Warburton who is not able to be present this morning. He asked me to put

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these questions. In your opinion would it be wise to limit the number of factories in that bay?—A. I would not—

Q. You would not like to answer that question?—A. I would not limit the number at all, I would simply ask them to close down.

Q. For a period of time?—A. For an indefinite period.

Q. Would you consider that to be cruel?—A. Well, I would suggest that the Government pay for the outfits, pay for their plants, and close the places down, or the department—

Q. What kind of traps do you use?—A. What kind of traps?

Q. Yes?—A. Well, we call them common traps.

Q. I notice there are two kinds of traps?—A. Yes. Well, these are what we call common traps. There are some with two openings and some with three.

By Mr. Daniel:

Q. What are they made of?—A. The traps.

Q. Yes, are they made of wood?—A. Yes.

Q. Are they circular in form?—A. Yes, circular.

By Mr. Chisholm (Inverness):

Q. Have you the triangular trap with three openings?—A. No, sir, we have none of these triangular traps.

By Mr. McKenzie:

Q. But you have traps with two openings?—A. And a small percentage with three openings.

Q. It would be easy to make a trap with four openings would it not?—A. Oh, yes, it would be possible to do it.

By Mr. Daniel:

Q. Are these openings large enough to take in the largest lobsters?—A. Yes, sir.

Q. They take in all sizes?—A. All sizes.

Q. There is no chance of escape for the little one?—A. Oh, yes, they do escape.

Q. Out of the same hole as they enter?—A. Out of the same hole, yes.

Q. They never do that?—A. Oh, yes.

Q. They do?—A. Yes, they do.

Q. It is a box closed all around and there are no interstices that would allow a small lobster to get out in any part of it?—A. Well a small, a very small lobster can. The openings are about an inch and one-eighth I think.

Q. Apart?—A. Yes.

Q. It is a sort of wicker work or lattice work?—A. Yes.

By Mr. McKenzie:

Q. Made of laths?—A. Made of laths, yes.

By Mr. Jameson:

Q. You spoke of the supply of lobsters not having diminished very greatly during the last two years?—A. Yes, sir.

Q. Over what period have you had experience with regard to the catch of lobsters?—A. About 15 years.

Q. During that time have you been a fisherman and owner of a factory?—A. A fisherman.

Q. Then of what time are you speaking when you say there has been a very serious decline?—A. In what time?

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Q. Yes, over what period of time?—A. Well they gradually decreased from the time I started canning until 1906, there was a gradual decrease.

Q. And from 1906 to the present time how do you find the supply?—A. 1906 to the present?

Q. Yes, the last two years?—A. In 1907 and 1908 we had good catches.

Q. Supposing that the regulations was strictly enforced with respect to 8-inch lobsters, how long would it take in your opinion to restore the supply of lobsters of that size and over, I mean to say a sufficient supply for the purpose of carrying on the business?—A. I could not answer that question.

Q. You said that from $2\frac{1}{2}$ to 3 per cent of the lobsters taken were berried lobsters?—A. Yes, sir.

Q. You mean to say that from $2\frac{1}{2}$ to 3 per cent of the lobsters that are disposed of at the factories are berried lobsters?—A. Are disposed of at the factories?

Q. Yes?—A. Well, they are not berried when they get to the factories as a general thing.

Q. No, I understand that. Then what percentage of berried lobsters are put overboard by the fishermen, restored to the water after being taken?—A. Well, the fishermen claim there are anywhere from 2, $2\frac{1}{2}$ to 3 per cent—all along there—dependent upon the time of the season.

Q. Have you ever heard of berried lobsters being washed by drawing them through the water several times and the berries removed in that way?—A. Well, I could not say that I have in that way.

Q. Have you heard of the berries being removed in any other way?—A. Yes, I have.

Q. By what system?—A. Well by rubbing.

Q. Using a brush?—A. The fishermen usually use large rough mits, I think they use them.

Q. Does that remove all trace of the berries?—A. Well nearly all trace.

Q. In your experience as a packer have you encountered many lobsters from which the berries had been washed off?—A. No, I could not say I have.

By Mr. Daniel:

Q. Can you tell from the appearance of a lobster that the berries have been taken off it?—A. I think under close examination you can.

By Mr. Jameson:

Q. Well the examination ordinarily carried on in a cannery is not sufficiently close to detect whether that has been done or not in the sorting of the lobsters?—A. They are not counted.

Q. Well in the handling of them let us say?—A. The packer don't usually see them or the canner. They come in in crates from the boat. The fishermen put them in themselves when they catch them and they are hauled up and put into the retort or boiler and the steam turned on, and so the canner has not very much chance to detect any or to see them.

Q. Then as far as the canner or proprietor of a factory is concerned the violation of the law in respect to berried lobsters may be carried on constantly?—A. Yes, it certainly can.

Q. So far as he is concerned violation of the size limit may be carried on constantly?—A. Yes.

Q. And the only safeguard is the inspection made from time to time by the local officer?—A. From time to time would not be any safeguard, it would need to be all the time.

Q. I am speaking of the present condition?—A. Yes.

Q. How often has the local officer visited your factory during the past year?—A. Well it has been customary for them to come when you send for them.

By Mr. Daniel:

Q. When you send for them?—A. When you send for them.

By Mr. Jameson:

Q. And the officer always does come?—A. He always came.

Q. He is a faithful officer?—A. He sometimes comes several times because the stamp—it is necessary for the inspector to stamp all the cases when they are ready for shipment.

By the Chairman:

Q. It is for that purpose that you send for the officer?—A. Yes.

By Mr. Chisholm (Inverness):

Q. It was not to inspect the factory or the lobsters that you sent for him?—A. There has been no inspection for a great number of years of lobsters so far as I know.

By Mr. Jameson.

Q. Do you find the officers at the post of duty when you need them to stamp the cases?—A. Yes.

Q. From your experience as a practical man what measures do you suggest for the preservation of the berried lobster?—A. I would suggest that the fishermen be paid for them.

Q. At what rate of advance over the current price of the lobster?—A. Oh, an advanced rate——

Q. Yes?—A. At an advanced rate over the——

Q. What rate do you think would be proper to pay for the berried lobsters as compared with the rate for marketable lobsters?—A. Well I would say that from 30 to 50 per cent more would be a reasonable amount.

Q. Could the fishermen with their present facilities take care of the berried lobsters so that they would not injure the eggs?—A. With their present facilities?

Q. Yes, with their present facilities, the present system of handling lobsters, or would they need some special device that would cost them additional money, in their boats and at the shore?—A. They would at the shore, they would not in the boats. They would not need any special device in their boats.

Q. But they would at the shore?—A. They would at the shore when they landed them.

By Mr. McKenzie:

Q. Are the lobsters thrown down in the boat when taken up in the trap?—A. Yes, sir.

Q. I suppose that if they had a box or barrel with sea water in it they could throw these seed lobsters into it in a place by themselves?—A. Yes, sir.

By Mr. Jameson:

Q. What system would you suggest for the collection of these berried lobsters at the shore?—A. For the collection of them?

Q. Yes, would you return them back to the water again?—A. I don't know. I would not return them back to the water again.

Q. Perhaps I did not make myself perfectly clear. I was asking what idea you had with regard to the preservation of the industry by saving the berried lobsters as far as possible and getting the benefit of the eggs. Now along that line, it would be necessary, of course, to have a hatchery?—A. I would suggest there be a hatchery to make use of those lobsters, those berried lobsters.

Q. How would you have them collected along the coast to be conveyed to that hatchery?—A. By an official I suppose, an officer from the hatchery.

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Q. Have you had any experience in the live lobster trade?—A. No, not any.

Q. Is there any business in live lobsters carried on from your neighbourhood?
—A. That has been tried, we have tried the experiment.

Q. Where were the lobsters shipped to?—A. To Boston and New York.

Q. Did it prove profitable?—A. No, sir.

Q. What was the objection or difficulty?—A. Well on account of transportation.

Q. The transportation facilities were inadequate?—A. Inadequate.

Q. And over-expensive I suppose?—A. Well the over-expenses I don't think are any injury to the business.

Q. Well, practically there is now no live lobster trade carried on from your district?—A. No, not any.

Q. Would there be better transportation facilities from the maritime provinces to Ontario and Quebec?—A. No, sir, not any better.

Q. The drawback is in the connection between Prince Edward Island and the mainland?—A. And the mainland, yes.

Q. You spoke of the government taking over the lobster canneries as one of the possible ways out of the difficulty with regard to taking short lobsters, did you not?
—Oh, no.

Q. Well with regard to the doing away with canneries themselves?—A. Yes, doing away with the factories in—

By Mr. Daniel:

Q. That was on the breeding ground, was it not?—A. Yes, the natural breeding ground.

By Mr. Jameson:

Q. In what particular neighbourhood, what are the breeding grounds called?—A. They are two bays.

Q. Name them?—A. New London and Richmond.

Q. Have any of you who are interested in canneries consulted together with regard to that proposition?—A. It was spoken of a few years ago.

Q. Not recently?—A. No, not recently.

Q. What was the suggestion made then, that the government should take them over at the value of the plant, or did it include something for the business and good will?—A. No, sir, just for the plant, the amount of their plant.

Q. You think that as far as you are aware the owners would be willing to make an agreement of that sort?—A. They were at that time, yes.

Q. And what area along the island coast would these breeding grounds supply with lobsters in your judgment?—A. Oh, for a great many miles each way. I would suppose the number of miles, say 10 miles or 15 miles each way from those places. That is those two places I would say would benefit say 25 miles along that coast.

Q. And how many canneries would there be along there?—A. Along that coast?

Q. Along that 25 miles you spoke off?—A. I could not say, there would a great number in 10 miles where I live. Five miles each side of me there are 10 factories in 10 miles and nearly as great a number east and west of New London.

Q. They would average then about one to the mile?—A. Yes, they would average about one to the mile.

By Mr. Daniel:

Q. You spoke of reducing the number of these canneries on the breeding grounds. How many would be left supposing that idea was carried out?—A. How many factories?

Q. Yes?—A. It would not be any use to close any without they were all closed.

Q. That is what I was just going to arrive at.

Mr. CHISHOLM.—I think the witness suggested before that they be all closed.

The WITNESS.—Yes.

By Mr. McKenzie:

Q. Do you mean that a close season should be established on the whole of the north side of the island?—A. No, on these natural breeding grounds.

By Mr. Daniel:

Q. And not allow the canneries there at all?—A. No.

By Mr. McKenzie:

Q. That has a coast line, you say, of about 25 miles where these breeding grounds are?—A. No, it is in a bay. Inside, in from the sea, just about—

Q. How long would the line be following the shore?—A. All around that bay?

Q. Yes. How much of the coast line does the breeding ground cover?—A. Well it don't cover any of the coast line, that is the outside coast line, it is in the bay.

Q. But taking the bay as a coast line would it be about 25 miles around the bay?—A. Oh, no, I did not say in the bay. It is outside on the coast I was speaking about at first. This is in the bay.

Q. The breeding ground is in the bay?—A. Yes, the breeding ground is in the bay.

Q. What I mean is that taking one point to the other and following around the shore, what area does the breeding ground cover?—A. Well, perhaps 40 or 50 miles.

Q. It is that long is it?—A. Yes, or more to follow the bay around.

Q. And it is all breeding ground?—A. Well I could not say it was all breeding ground, but the greater part of it is.

Q. It is regarded as a breeding ground?—A. It is regarded as a breeding ground, yes.

Q. You spoke about the catch decreasing greatly from the time you went into the business down to two years ago? Has the number of fishermen increased since you went into the business in the particular locality where you are engaged?—A. Has the number increased?

Q. Yes?—A. Yes, sir, it has.

Q. You would have about 12 men supplying lobsters to your factory?—A. Yes, sir, 12 men.

Q. And six boats?—A. Six boats.

Q. Did you have the same number when you commenced 15 years ago?—A. No, sir.

Q. More or less?—A. More.

Q. When you spoke about the catch decreasing did you have reference to your own catch or the general catch in the locality?—A. The general catch.

Q. And it also applies to your own catch does it?—A. Yes, sir.

Q. Now keeping in mind the catch and the number of men you employed the first year you started what would you say was the percentage of decrease from the first year or two up to two years ago?—A. Well it would require some time to figure that up.

Q. Was it a uniform declension or was it sometimes better and sometimes worse?—A. It was a natural decline each and every year.

Q. The succeeding years smaller than the preceding all along?—A. Yes, sir.

Q. And that has reference to the general catch not the same quantity divided between more men?—A. Yes, sir.

Q. Do you ascribe that to excessive fishing?—A. Yes, to excessive fishing I think.

Q. Would you say that the taking of berried lobsters would have something to do with it?—A. Oh, yes, that has very much to do with it.

Q. Have you had any experience in propagating lobsters by the use of the pound, have you got any lobster pounds on the island?—A. No, sir.

Q. It is a sort of substitute or equivalent for the hatchery. You have not got any?—A. Not that I am aware of.

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Q. The only thing that I heard you suggest by way of improvement was a shortening of the season. You would commence the 1st of May you say and end the last of June? You think that would be a more suitable season for your part of the island?—A. Yes, sir.

Q. Is there anything else that you would suggest to the committee that you think would be an improvement either for the fisherman or the canner in that part of the island, anything that would better the conditions of either the canner or the fishermen that could be accomplished by way of regulations?—A. I would suggest that hatcheries be established along the north side.

Q. That hatcheries be established?—A. That hatcheries be established on the north side of the island and those berried lobsters all used, you see, in these hatcheries.

Q. And I suppose an effort put forth to save the berried lobster from being sold and in that way deprived of its berries, you have already suggested that?—A. Yes, sir.

By Mr. Daniel:

Q. A suggestion was made here by some one that it might be a good plan, in order to educate the fisherman, to lower the size limit to 7 inches at the present time and then to gradually raise it. Do you think there would be any benefit in that at all?—A. I think there would if the law could be enforced.

Q. Why do you think a 7-inch size limit would be better kept?—A. Well, it would than an 8-inch?—A. That is why would the fishermen—

Q. Why do you think a 7-inch size limit would be better kept?—A. Well, it would be a little more advantage to them, an inch on the lobsters is considerable.

Q. Knowing the industry as you do would you advise that as a course of action? A. I would advise it if it could be properly enforced.

Q. You would advise it in preference to enforcing the 8-inch limit would you?—A. I certainly would.

Q. Are you speaking as a canner or as a friend of the industry generally?—A. Yes, I think I would, I think I would favour a 7-inch size.

Q. You would favour the reduction of the size limit?—A. The reduction of the size to 7 inches.

Q. And you think that would be an advantage to the industry?—A. Well I could not say it would be an advantage to the industry.

Q. Then why would you recommend it?—A. I would recommend it because it could be thoroughly enforced.

Q. You are speaking of the enforcement of the law?—A. Yes.

Q. I am speaking of the effect on the industry?—A. If it was for effect on the industry, that is to bring it up to its former status?

Q. Yes?—A. I would certainly make the size limit larger.

Q. Exactly. You would not lower it?—A. Oh, not at all, no, sir

Q. Supposing you were asked by the department to give any suggestions for the improvement of the lobster industry, what would you reply? Would you have any suggestions, and if so, what would they be? You have spoken already about the hatcheries and buying the berried lobsters, have you any other suggestion?—A. I would suggest that the season be shortened to two months, that is from the first day of May to the last day of June, and that these berried lobsters be preserved and hatcheries established along the coast. That would be my suggestion.

Q. Have you any other suggestion?—A. I have no other suggestion.

Q. What about the enforcement of the law?—A. The law would be all right if it could be enforced.

Q. Either the law should be enforced or it should not. Which would you suggest, that the law should be enforced?—A. Yes, I would say that it should be enforced.

Q. That is that the 8-inch limit should be enforced?—A. Yes.

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Mr. McKENZIE.—Did the witness not say a 7-inch limit?—A. That is for the benefit of the industry in general?

By Mr. Daniel:

Q. I am speaking now of the industry?—A. Yes, sir.

Q. And supposing that we did not enforce the 8-inch size limit, what effect would it have upon the lobster factories?—A. What effect it would have upon them?

Q. Yes, at first?—A. It would have a serious effect at first.

Q. How serious?—A. Well it would be so serious that it would perhaps put some factories out of business.

Q. Would that be an unmixed evil supposing you put a few factories out of existence? It would not lessen the number of fishermen would it?—A. Oh, yes, it would lessen the number of fishermen.

Q. To what extent, have you any idea?—A. I have no idea.

Q. It would make a difference in your pack of 20 per cent, I think you said that?—A. Yes, it would.

Q. You packed you said last year 400 cases?—A. Yes, sir.

Q. And the year before also, or some two or three years before that you only packed two or three hundred cases. Did you not say that?—A. 200 and on, yes.

Q. Twenty per cent of 400 cases would be 80. Take 80 per cent off and you will still be packing 320 cases, more than you had been packing in other years when there was no law enforced at all. Supposing that quantity kept up how would it put any of you out of business at that rate?—A. Because we have to pay very much more for them. Everything has advanced in price.

Q. Well you might explain that, how would you have to pay more for them, in what way? You are paying, I suppose by weight, what would cause the increase in price?—A. What causes the increase in price?

Q. Yes, what would cause it?—A. Well it was on account of the small catches, the small catches of lobsters.

Q. You get that much less weight, I don't see how it is going to affect your price?—A. Well you would have to pay the fishermen good pay in order to keep them. He would simply give up the business if he did not get enough money out of it.

By Mr. Fraser:

Q. What Dr. Daniel wanted to find out, I think, is the expense of catching lobsters. Is it not a fact, Mr. Cousens, that it is nearly as expensive to pack 200 cases of lobsters as it is to pack 400 except for the price of the raw material?—A. It certainly is.

Q. It is nearly as expensive to pack 200 cases as it is 400?—A. Yes, it is quite as expensive, clear of the cases.

By Mr. Daniel:

Q. But you were satisfied with your pack of two or three hundred cases, you did not think of dropping out of business because you were only packing that number?—A. Well the fisherman or lobster packer always does—

Q. Did the fishermen charge you any more when you only bought enough to pack 200 cases than they charged you when you had 400 cases to pack?—A. Yes, they charged very much more.

Q. They charged more?—A. Very much more.

Q. What would be the difference in the rate, you buy them by the hundredweight?—A. Buy them by the hundredweight.

Q. Would you say what your average price was? If you have any objection to giving the information, of course, we don't want to know?—A. Well I would say that the price has increased 50 per cent, the price we have to pay the fishermen has in the last 15 years increased—yes, all of 50 per cent.

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Q. Has it increased materially in the last three years?—A. Has it increased in the last three years?

Q. Yes, did you pay any more last year than you did in 1905 or 1906?—A. No, sir.

Q. Well then the size of the catch does not make any difference in the price of the lobster?—A. It does to the fishermen.

Q. It does to the fishermen?—A. Yes.

Q. But you say you paid the same price?—A. Paid the same price?

Q. Yes, you have just told me that you paid the same price last year that you did in 1905?—A. No, not in 1905, in 1906. We paid the same price for three years, 1906, 1907, 1908.

Q. In 1907 and 1908 you had much larger catches than in 1906?—A. Yes.

Q. And you did not pay any more?—A. For these lobsters?

Q. Yes?—A. No.

Q. So that I don't see how your evidence tends to give us the idea that you would have to pay more for the lesser catch than for the larger?—A. Well the price is—what I meant to say was when we started canning 15 years ago we paid a certain price per hundred pounds. Lobsters were then pretty plentiful and as the catch went down we naturally had to increase the price to the fishermen. We had to give the fishermen just about the same amount for smaller catches of lobsters.

Q. As a matter of fact what are your prices regulated by, are they regulated by the fishermen or by the markets to which you send your goods?—A. They are regulated a little by each of those.

Q. Which principally?—A. Principally by the fishermen.

Q. What do you say?—A. Principally I guess by the fisherman.

Q. Could you pay the fishermen more for lobsters than it would be profitable to pack and sell them for. Your price to the fisherman must surely be regulated by what you are going to get when you sell or you could not remain in business?—A. We don't always know what we are going to get.

Q. Is there much variation in the price of canned lobsters?—A. Considerable.

Q. Where do you sell your pack mostly?—A. On the island.

Q. And I suppose they are not consumed on the island, there are more lobsters canned on the island than the inhabitants consume themselves, so a great deal of the pack is shipped away?—A. Oh yes, sir, they are shipped away.

Q. Are they sold in Canada mostly or in the United States?—A. Well I could not say. In Great Britain I believe the greatest amount of them are sold.

Q. They are shipped from the island to Great Britain?—A. I think so.

Q. Or to France?—A. It is just possible they are shipped to both places.

Q. Then the price is largely made in the market to which they finally go?—A. Yes, sir.

Q. So that the fishermen cannot get anything he asks for his lobsters can he, that is what I want to get at? He can only get what the canner can afford to pay him, is that not so?—A. Well we have paid them more than we could afford to pay them.

Q. What did you put that down to, profit and loss account, or make it up the next year?—A. I would expect to make it up the next year.

By the Chairman:

Q. How many lobster traps would be employed by your six boats?—A. Well I think about 1,800 traps.

Q. Three hundred traps to a boat? How did these men earn last season?—A. Oh I could not say that.

Q. Did you supply the boats yourself?—A. Yes, sir.

Q. You supply the boats and the gear?—A. Yes, sir.

Q. And you pay them a certain reduced price for the lobsters on account of that?—A. Yes, sir.

Mr. TURGEON.—Mr. Loggie who is not a member of this committee would like to ask a question or two.

The CHAIRMAN.—Very well.

By Mr. Loggie:

Q. Have you ever seen a boat load of these lobsters you spoke of caught in Richmond Bay?—A. A boat load of them?

Q. Yes?—A. Yes, sir, I have.

Q. Can you tell the committee how much they would weigh in all probability, as near as you can what would be the weight of 100 green lobsters?—A. Well I have seen them very small. Those perhaps weigh 25 lbs. to the hundred, perhaps less.

Q. A hundred lobsters? You have seen them larger than that I fancy?—A. Yes, I have seen them larger.

Q. Give us a fair average of what you think a hundred green lobsters taken in the bay weigh?—A. I would say that 50 lbs. would be perhaps an average.

Q. I don't think you are very far astray, if it is some of the bays where I know small lobsters frequent. In view of your statement about the 50 lbs. of lobsters and in view of your statement that there was a very small percentage of lobsters with no berries on them, how do you account for your statement that this bay is a breeding place? You have told us that the berries are only on large lobsters and yet you say a hundred green lobsters will only weigh 50 lbs. How do you account for it?—A. Because it was a breeding ground, but it is not now.

Q. It is not now you say. It would be a breeding ground if you found berried lobsters there of large size. Don't you think there can be another reason for the small lobsters being there, that the bay is sheltered rather than that it is a breeding ground, that small lobsters will make for shelter where there not liable to be washed ashore by the storms and that kind of thing, is not that a possibility?—A. I don't think they would keep in shallow water if that was the case would they?

Q. That is what they would do. Don't you think the small lobsters make for the shore during the month of July when the water is warmer and it is not natural for them to make for shelter? I think your evidence is quite correct because small lobsters frequent those waters; and yet I was not able to harmonize the statement with the fact you said it was a breeding ground. I quite agree with you that we commonly talk of those sheltered places which lobsters frequent late in the season as breeding grounds. That is all I want to ask you about that. Could you tell me about how much a hundred of the green lobsters that you catch could weigh?—A. I could not form any idea, we have never counted them.

Q. You have never counted a hundred lobsters and weighed them? Yes, we have. Thirteen years ago we did. We took them at that time by count.

Q. You counted them but did you weigh them to see how many pounds there were?—A. No, I don't think we did.

Q. You never did?—A. No.

Q. How many pounds do you think there would be? You have given me some idea as to the other questions I asked you that there would be 50 lbs. on the average to a hundred of lobsters from Richmond Bay in your experience. Now how many do you think there would be on the average?—A. I would say that perhaps 80 of them will make a hundred pounds, I think on the average.

Q. Eighty?—A. Eighty green lobsters.

Q. I think you are wrong in that?—A. What I mean is a hundred green lobsters would weigh 80 lbs.

Q. I think that is a better answer?—A. Yes.

Q. I don't think you would be perhaps very far out. Now speaking of your own

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packing, can you tell me how many lobsters it takes to make a pound can?—A. I can on the average.

Q. The average is all I want?—A. $2\frac{1}{2}$ lbs.

Q. I am asking how many lobsters it takes to make a pound can of meat?—A. I could not say, we have never counted them.

Q. I think you are mistaken about the other answer too?—A. What is that?

Q. You mean that $2\frac{1}{2}$ lbs. of green lobsters would make a pound can, is not that what you mean?—A. I hardly know.

Mr. DANIEL.—Put it this way: Ask him how many 8-inch lobsters—

Mr. LOGGIE.—I don't want to know about 8-inch lobsters, I want to get the average. I want some evidence as to the size of lobsters that are being caught to-day. That is really what you want to find out and then you will have something intelligible before you.

Q. You have told me already that a hundred lobsters in your locality, of the size as far as you know, would make about 75 lbs.?—A. Seventy-five or 80 lbs.

Q. I don't think you are very far astray there, I think that is the average on the outside coast. Now how many of these lobsters would it take to make a one pound can tall? You as a packer would have a good idea in your head, how many lbs. of green lobsters would it take to make a pound can tall?—A. It takes 250 lbs. to one case.

Q. You evidently misunderstood the question before. That is 250 lbs. for 48 tins. That would be a little over 5 lbs. of green lobsters to the can in a case of 48 lbs. On the basis of 80 lbs. to the hundred lobsters it will take a little over six lobsters to the pound can tall. All I wanted to do was to get your opinion as to what size of lobsters you were catching. I think I can tell you: it would take a little over five lobsters to make a pound can tall and a little over six lobsters, or something like that as a very good lobster average. You certainly have pretty good lobsters where you are fishing.

Mr. DANIEL.—What would be the size of his lobsters?

Mr. LOGGIE.—In the first place you see, a hundred lobsters weigh 8 lbs. and six of these lobsters would make a pound can tall. I think a gentleman who gave evidence here the other day said that it took nine 8-inch lobsters—

Mr. CUNNINGHAM.—Nine 7-inch lobsters.

Mr. DANIEL.—And how many 8-inch lobsters?

Mr. CUNNINGHAM.—He did not go into that.

Mr. LOGGIE.—If it takes nine 7-inch lobsters to fill a can I don't think we can calculate that out, I don't think it would be really satisfactory evidence.

Mr. VENNING.—There would be no reason for closing down factories if you could go on canning 8-inch lobsters.

Mr. LOGGIE.—What I meant to say that the lobsters caught in the district where the witness is canning are pretty good sized lobsters when a hundred of them will weigh 80 lbs. and 250 lbs. of green lobsters will make a case which is a little over 5 lbs. of green lobsters to the can. Adding a fifth you get a little over six lobsters to the can. I know that on the coast there are a great many instances to which his evidence regarding bays is applicable and there it takes seven 8-inch lobsters to make a pound can.

Mr. DANIEL.—How many pounds are there in a case.

Mr. LOGGIE.—Forty-eight one pound cans. Of course, they don't put in quite the full 16 ounces, there would be a little over 15 ounces, at least. I only want to find out the facts in the case. I think I heard the witness say that if an 8-inch size limit was insisted upon it would put a good many factories out of business. It certainly would in some of these bays.

Q. Speaking of 50 lbs. of lobsters to the hundred, do you think you could operate at a profit and paying expenses, if your fishermen put away 20 per cent of the lobsters caught because they would have to receive a better price for the balance of the

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catch in order to make their wages out of it? These gentlemen do not seem to understand you when you say that you would have to pay your men more. That is the reason, is it not, that they have got to get so much more wages, if 20 per cent cannot be brought ashore; they would have to be paid a better price for the others or they could not stay in the business?—A. Yes.

Q. And that would make it cost you that much more and the markets might not be good and you would have to close?—A. That is the case.

Q. As far as prices are concerned you had to pay extra prices last year because everything was booming in the lobster business whereas this year it is the very opposite, is it not?—A. The very opposite.

By Mr. Fraser:

Q. Speaking of this bay you think it is a natural breeding ground?—A. Yes, I think it is. If the traps were taken out of it it would be.

Q. Do you know anything about lobster pounds in connection with the breeding of lobsters?—A. No, sir, I don't know anything about them.

Q. Well, a pound, I understand, is a kind of natural inclosure in which lobsters are kept. I don't know very much about it, I never saw one.

Q. Would the breeding ground you speak of not make a good natural inclosure?—A. You could not inclose it.

Q. You have an idea of what a pound is, could you not inclose any part of this breeding ground for that purpose?—A. I don't think it would be possible.

Q. You don't think it would be possible?—A. There is nothing impossible. I mean to say it would require a large outlay to make use of any part of it.

Q. Then it would be too expensive—A. Too expensive, yes.

By Mr. Fraser:

Q. You think it would be better to have a hatchery?—A. Well, yes, I think it would be better to have a hatchery.

By Mr. Loggie:

Q. I should have asked you I suppose when you said that the small lobsters in Richmond Bay were 50 lbs. to the hundred, did you see any with berries on them, small lobsters?—A. I cannot say that I did.

Q. What lobsters did you see there with berries on them, so far as you can recall?—A. So far as I can remember, without berries?

By Mr. Fraser:

Q. Did you ever try the shipping of live lobsters, did you ever have any experience in that?—A. No, sir, I sold some to the gentlemen who did ship them alive.

Q. How long ago is that?—A. I think it was in 1906, if I remember aright.

Q. How did you sell them?—A. Well, now, I just forget how I sold them.

Q. You forget the price?—A. Forget the price, yes.

Q. The man lost on the transaction I understand?—A. He lost all of it.

Q. Was it on account of poor transportation facilities?—A. Yes, sir, too long in the market.

Q. Too long on the way to the market?—A. On the way to the market.

Q. Was it due to the market being flooded do you think?—A. No, sir, I think not.

Q. It was on account of the time it took to reach the market?—A. In fact I am sure it was not, it was on account of the transportation.

Q. Was it in winter or summer?—A. It was the spring.

Q. Do you think Mr. Cousens, that a live lobster trade could be worked up between Ottawa and New York, for example, if proper transportation facilities were provided?—A. Yes, sir, I think it could.

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Q. What is a can worth, that is a 1 lb. tall?—A. On the island?

Q. That is where they are packed?—A. At the present time?

Q. Yes?—A. I suppose perhaps 25 cents.

By Mr. Chisholm (Inverness):

Q. By the case or by the single can?—A. By the case.

Q. It takes from six to eight lobsters you say to fill a can?—A. From six to eight?

Q. Is that what I understand you to say?—A. I did not say that.

Mr. CHISHOLM (Inverness).—Mr. Loggie made that deduction from certain facts.

Mr. LOGGIE.—Yes, I made that deduction.

By Mr. Fraser:

Q. You have a rough idea of how many 6 or 8-inch lobsters it would take to fill a can?—A. Well I would say—I don't think it would take more than six lobsters, I can't imagine it would take more than six lobsters.

By Mr. Loggie:

Q. What size on the average?—A. On the average?

By Mr. Daniel:

Q. Does the fishery officer give any certificate as to the cooked meat, or is there any inspection of it, before it is canned? Is there any inspection of that meat as to quality?—A. No, sir, I think not.

Q. Or any inspection as to weight?—A. Weight in the can is it?

Q. Yes?—A. No, sir, the inspector—

Q. Is there any law regulating the size of the can?—A. Well I suppose there is a law but it does not come under the fishery inspection.

By Mr. Chisholm (Inverness):

Q. What is the size of the largest lobster you get there?—A. What is the largest lobster?

Q. Yes, I don't mean to say individual lobsters, but generally speaking?—A. You mean the very largest one we get is it?

Q. Yes, the largest lobsters, the length?—A. Well I could not tell you the length, doctor. I remember weighing one once and it weighed 7½ lbs. That was last summer, but that was the largest lobster I think I ever saw.

Q. But I mean looking at the catch in general what is the largest size?—A. Oh well, we get quite a number. I would say perhaps there would be 5 per cent that would be—that would weigh 2 lbs.

Q. Yes, but is the length?—A. I could not say the length.

Q. Nine and a half or 10 inches?—A. Oh, yes, a little longer than that.

Q. Would it be 3 to 5 per cent?—A. I would say from 3 to 5 per cent.

Q. Did you ever see lobsters in Northumberland Straits, that is a quantity, a boat load?—A. I could not say I have seen them in the straits, I have seen them in the harbour. Those I suppose were caught in the straits.

Q. Have you any idea of the size?—A. Of those lobsters? Well they were considerably smaller than ours.

Q. Noticeably so?—A. Noticeably so.

Q. Would you have any idea how many lobsters caught in Northumberland Straits it would take to fill a can?—A. It would probably take seven or eight of them. I would say it would take seven of them anyway; that much difference.

Q. You have no idea of the size of them as compared with the size of the lobsters caught in your own locality?—A. Of course, the difference in the season makes a great deal of difference.

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By Mr. Fraser:

Q. Does the Portland Packing Company pack lobsters in your bay?—A. No, sir.

Q. Are there any other parties desiring to get a license around your bay?—A. I don't think it, speaking from my own knowledge.

Q. You think not?—A. No.

Mr. DANIEL.—I think we have pretty well exhausted the witness and I move, therefore, that he be discharged

Witness discharged.

Committee adjourned.

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COMMITTEE ROOM No. 32.

HOUSE OF COMMONS.

TUESDAY, April 6, 1909.

The Select Standing Committee on Marine and Fisheries met to-day at 11 o'clock a.m., Mr. Warburton presiding in the absence of the chairman.

Mr. W. F. TIDMARSH, Charlottetown, called, sworn and examined.

By the Chairman:

Q. I believe you have been connected with the lobster fishery for a long time?—

A. Yes, practically all my life, it has been a life work.

Q. Whereabouts have you generally carried on business?—A. In Nova Scotia, the Magdalen Islands and Prince Edward Island.

Q. You run a large number of factories?—A. We do in Prince Edward Island and the Magdalen Islands. Those factories are under my control.

Q. How many are there?—A. Eleven, nine in Prince Edward Island and two in the Magdalen Islands.

Q. We will take Prince Edward Island first and the Magdalen Islands afterwards. are the lobsters increasing or decreasing in number?—A. They are neither decreasing nor increasing. For the last eight or nine years or, to be more exact, I would say that for the last six or seven years at least, they have remained about stationary.

Q. That is in Prince Edward Island?—A. In Prince Edward Island, we are now referring to that province.

Q. What have you to say as to the increase or decrease in size of the lobsters in Prince Edward Island?—A. The decrease in size has not been very much during the last five or six years.

Q. Has there been any increase in the last few years?—A. I think not.

Q. Do you draw any distinction between the north and the south shore of Prince Edward Island in these two respects, that is the increase or decrease in number or the increase or decrease in size?—A. Lobsters on the south shore of Prince Edward Island, that is between Cape Traverse and Cape Bear, were always larger than on the north shore. They are larger to-day but not so large as they were 20 years ago. On the north shore of the Island, and around the east and west ends, the lobsters were always small in size, comparatively small in size.

Q. Now, Mr. Tidmarsh, you might give us some information with regard to the Magdalen Islands, that is as to the increase or decrease in the quantity of lobsters caught there?—A. Lobsters are decreasing in the Magdalen Islands both as to quantity and size.

Q. Are they decreasing rapidly?—A. They have decreased rapidly during the last three or four years. Until that time there was no appreciable decrease.

Q. Can you account for that decrease in any way?—A. I think it is the over-fishing, the fishing both in the spring and in the fall. They have two seasons in the Magdalen Islands. I might give you some statistics in regard to those Islands to show you the rapid decline in the fishery there during the last few years. The statistics I have here were taken from the cannery that I control.

Q. From your own cannery?—A. From the cannery I control at Grand Entry,

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Magdalen Islands. Now in 1903 there were received at that cannery during the season 205,392 lobsters—not pounds of lobsters but lobsters themselves. That year we closed our factories I think on the 10th July. That was the legal season then from the 1st May until the 10th July and had an extension of a month, that was the month of September. That year we landed at the Grand Entry cannery 215,358 lobsters. That was more than for the previous year and that was the first year of the late season. In 1905 which was the second year in which the two seasons were in operation we received 142,220 lobsters. You will see a very material decline there. In 1906 there were 84,796 lobsters received.

Q. That was about one-third of the number received three years before?—A. Yes. I have not exactly the same figures for 1907 or 1908 but I can give you the number of cases of lobsters we packed when canning. In 1907 we packed 222 cases. In 1908 we packed 75 cases and this year we have closed the factory and are not going to operate.

Q. It ceased to pay?—A. Ceased to pay. There are not enough lobsters there to warrant continuing the business. I attribute that to fall fishing, fishing for a month in the fall; it is more than the fishery could stand. You are taking lobsters at the only two seasons in the year when it is possible to take them in large quantities, that is during the spring and fall.

Q. In your opinion then for the preservation of the lobster fisheries of the Magdalen Islands it is necessary to stop the fishing for the second season in the year?—A. I think it is very necessary that that second season should be stopped, also that fishing should be stopped in the lagoons. The lagoons in the Magdalen Islands are no doubt the breeding place of the lobster. It is not legal to fish in the lagoons now but the law in that regard has not been respected for some years past.

Q. There are a number of lagoons there are there not?—A. No. There are only two large lagoons. Those are very large. They run practically the whole length of the group of Islands.

Q. The lagoons are really breeding grounds?—A. I consider the lagoons on the Magdalen Islands are breeding grounds.

Q. Have the factories of any other packers in the Magdalen Islands been closed?—A. Not that I am aware of, although I think I did hear that William Leslie & Co. intended closing up some of their factories. I cannot state that as a certainty.

Q. What is the present state of the lobster industry in Prince Edward Island so far as you know?—A. In Prince Edward Island the lobster industry is in a very good condition; we have no reason to be alarmed at all about it. The fishery there is in excellent condition. The lobsters decreased, both in size and quantity, very rapidly between the years 1885 and 1905. During those twenty years they decreased very rapidly both in quantity and in size but since then that decrease has been arrested and they have at least remained stationary.

Q. And the quantity has not fallen off?—A. The quantity has not fallen off since then.

Q. You said that you had had some experience in Nova Scotia also. Do you carry on business there now?—A. Well the Portland Packing Company, the concern that I represent, carry on business in Nova Scotia but I don't know very much about their business there.

Q. What have you to say as to the size limit of lobsters?—A. Well before proceeding with that if you would permit me I would like to give statistics as to the industry in Prince Edward Island.

Q. Very well, give those statistics?—A. I think it is the most effective way in which I can express myself. I have compiled statistics from the Fishery Reports covering the period from 1898 to 1907. I will give you the number of canneries, the number of traps used, the number of pounds of lobster meat canned, the average pounds of lobster meat per trap—that is the average number of one-pound cans—and

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the value. I think the average per trap is a very good index as to the condition of the business.

By Mr. Fraser:

Q. Are these statistics for the whole Island?—A. I am going to give you statistics for the whole Island, Mr. Fraser.

Q. For last year are they?—A. I am going to give you statistics from 1898 down to 1907.

By the Chairman:

Q. A period of 10 years?—A. Yes, 10 years. My contention is that the lobster fishery has not declined during the 10 years and I am going to give you these statistics in proof of that

Q. Go on then, Mr. Tidmarsh?—A. The statistics are as follows:—

LOBSTER Fishery Prince Edward Island—Canneries, Traps, Cans preserved, Average per Trap and Value.

Date.	Canneries.	Traps.	Lbs. Lobster Meat Canned.	Average Lbs Lobster Meat per Trap.	Value.
1898	230	284,235	2,342,020	8.24	\$468,004
1899	240	283,114	2,421,144	8.55	484,228
1900	246	302,117	2,223,712	7.36	444,742
1901	225	280,880	2,386,070	8.49	477,214
1902	192	241,869	2,039,603	8.43	407,920
1903	190	253,195	2,335,400	9.22	583,850
1904	199	295,976	2,501,160	8.45	625,275
1905	196	283,960	2,182,614	7.69	545,656
1906.	188	312,945	2,298,288	7.35	572,322
1907	184	305,990	2,839,496	9.27	751,846

(Signed.) W. F. TIDMARSH.

Q. Last year the average per trip was considerably higher?—A. Yes, considerably higher. You will observe that the average per trip lessens with the number of traps fished.

Q. I notice there has been a considerable falling off in the number of canneries, from 246 in 1900 to 184 last year?—A. Yes.

Q. There has not been very much falling off in the number of traps?—A. No, there has not been very much falling off. I wish to draw your attention to the fact that in 1900 there were 302,117 lobster traps fished and the average per trap was 7.36. In 1906 there were 312,945 traps fished and the average per trap was 7.35 or practically the same average pounds of lobster meat per trap.

Q. The point I want to make is that the reduction in the number of factories does not mean a reduction in the number of traps?—A. It certainly has not meant that. Now these statistics are taken from the blue-books of the Marine and Fisheries Department and I think they are correct because they have very good methods of getting their statistics from the lobster canneries. I can also submit other statistics taken from our own factories if that would be desirable.

Q. I think that is something the department have not got and cannot very well make up for themselves?—A. They are statistics from our own factories.

By Hon. Mr. Brodeur:

Q. It would be a good thing to have those?—A. You would like to have them? Very well.

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The CHAIRMAN.—Perhaps it would save time to hand those statistics in and let them be printed.

Mr. DANIEL.—Where were those statistics obtained?

The CHAIRMAN.—From his own canneries.

The WITNESS.—The statistics I have just given were obtained from the blue-books of the Marine and Fisheries Department. Those which I am proposing to give were taken from the records from our own canneries.

The CHAIRMAN.—They are really more valuable to us just now.

By Hon. Mr. Brodeur:

Q. Can your own statistics be compared with those of the department?—A. Yes, we could compare them in a measure.

Q. How do they agree?—A. I think they agree fairly well. Of course, in the departmental reports it is the number of pounds of lobster meat per trap that is given in one-pound cans. In the statistics I am about to give the figures would show the raw material, the number of pounds of live lobsters. I can put these latter figures in as read or I can read them.

Q. Very well, you had better read them?—A. Just as you wish. I will first give the figures for factory No. 1 at Rustico, P.E.I. These statistics cover the period from 1900 to 1908 and are as follows:—

STATEMENT Lobsters Delivered at No. 1 Rustico Cannery.

Date.	No. Boats.	No. Traps.	No. lbs. Live Lobsters Delivered.	Average lbs. Live Lobsters per Trap.	Average lbs. Live Lobsters per Boat.
1900....	19	5,225	133,319	25.51	7,017
1901....	25	6,875	172,924	25.15	6,917
1902....	13	3,575	78,471	21.95	6,036
1903....	9	2,475	75,823	30.63	8,424
1904....	14	3,850	147,226	38.24	10,516
1905....	15	4,125	124,982	30.29	8,332
1906....	16	4,400	130,014	29.55	8,125
1907....	16	4,400	218,787	49.72	13,674
1908....	19	5,225	226,745	43.39	11,934

The foregoing are complete statistics for that cannery. The remaining statements give the number of lobsters delivered at No. 2 Factory, Sea Cow Pond and at No. 3 Cannery, Waterford, respectively:—

STATEMENT Lobsters Delivered at No. 2 Cannery, Sea Cow Pond.

Year.	Number of Boats.	Number of Traps.	Pounds Lobsters Delivered.	Average per Trap.
1902.....	7	2,000	61,008	30.50
1903.....	10	2,900	115,572	39.85
1904.....	16	4,600	156,826	34.09
1905.....	14	4,100	145,457	35.47
1906.....	14	4,300	186,896	43.47
1907.....	14	4,500	223,535	49.67

(Signed.) W. F. TIDMARSH.

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STATEMENT Lobsters Delivered at No. 3 Cannery, Waterford.

Year.	Number of Boats.	Number of Traps.	Number of Lobsters delivered.	Average per Trap.	Average per Boat.
1900.....	20	4,000	249,654	62·4	12,442
1901.....	26	5,000	303,383	60·6	11,746
1902.....	23	4,500	323,547	74·1	11,556
1903.....	28	5,500	424,630	77·2	15,167
1904.....	24	4,800	307,162	64	12,799
1905.....	21	4,200	272,987	64·9	12,998
1906.....	24	4,500	241,928	53·8	10,080
1907.....	24	4,500	292,515	65	12,188

W. F. TIDMARSH.

By the Chairman:

Q. Roughly speaking how many pounds of live lobsters does it take to make a pound?—A. About five pounds of live lobsters on an average make one pound of lobster meat—between four and three-quarters and five pounds but roughly speaking five. Now this cannery is situated at a place called Sea Cow Pond

By Mr. Fraser:

Q. I think if you were to hand the statistics in it would save time?—A. I can hand the statistics in and they can be taken as read, but perhaps I had better sign them.

The CHAIRMAN.—You had better sign them.

Hon. Mr. BRODEUR.—Hand them to the reporter. Do you wish to make any comment upon these statistics?

The WITNESS.—Only that I would like to call your attention to the average per trap, how regular it is, showing that the fishery is about in the same condition or was in 1908 that it was in 1900. There is one cannery I would like to call the attention of the committee to. A great deal has been said about small lobsters and about the catching of small lobsters having a tendency to exterminate the fishery. This cannery is situated at a place called Waterford, P.E.I.

By Mr. Fraser:

Q. Is that factory on the north side?—A. It is on the west end of the Island. I want to be perfectly frank with you about these small lobsters. I took over this cannery I think it was, in 1898, about ten years ago, but I have the statistics for the period from 1900 to 1907. Now the lobsters caught there are very small. After purchasing, or making arrangements to take over, that cannery when I went over the next spring and saw how small the lobsters were I thought I had made a very great mistake and that the supply would not last more than one or two years. In 1900 we fished 20 boats and 4,000 traps, and 249,654 lobsters were landed. The average per trap was 62·4. Now I will just give you the average per trap for the——

By Mr. Daniel:

Q. What was the average size of the lobsters caught there?—A. I would say not more than from six and a half to seven inches. In 1901 the average per trap was 60·6 in 1902 74·1, in 1903 77·2, in 1904 64, in 1905 64·9, in 1906 53·8, and in 1907 65; showing that they kept up at about a general average all through for seven years. As a matter of fact they are just as plentiful now as they were ten years ago when I bought the plant.

By the Chairman:

Q. In connection with that what do you think of the size limit, Mr. Tidmarsh?—

A. The size limit? Well the size limit, Mr. Warburton, has never been enforced. We practically have no size limit and have not had for many years. There was an attempt made to enforce the size limit, I think in 1891 or 1892, by Sir Hibbert Tupper when Minister of Marine and Fisheries. He made a determined effort to enforce the size limit. He had instructions sent to Capt. Gordon, who then had charge of the Fishery Protective Service, to go to Prince Edward Island and see that the law was enforced. Captain Gordon visited a cannery that I was operating at a place called St. Peter's Island in Prince Edward Island. The lobsters there were larger than in most other parts of the Island. He put an armed guard in the cannery and detailed four men from the *Arcadia* to see that I did not take any small lobsters. These men arrived at the factory on the morning of the 10th June and on the 13th day of June I closed the cannery: I could not possibly get lobsters enough to operate. I really think that if you attempted to enforce the size limit you would not have a factory in operation in Prince Edward Island. I doubt if you would have a cannery in operation in Canada.

Q. That is any size limit?—A. I don't think you could enforce a size limit at all, any size limit. You would have to have an officer at each and every factory and it would have the result of closing up the canneries because we would not get lobsters enough to make it worth while for the fishermen to fish or the canners to pack.

Q. What would you say as to the question of the preservation of the spawn or berried lobsters?—A. I think the spawn lobsters when taken in the traps should be liberated alive and I do not think it would be a very difficult matter if you were to pursue an educative course. I think the fishermen could be educated to liberate the spawn lobsters. A great many of the fishermen now realize the importance of doing so. If the department, for example, would send some person to these fishing centres of the Maritime Provinces to lecture to the fishermen and show them the necessity of preserving the spawn lobsters you might form unions for the protection of these lobsters composed of both fishermen and packers, and I believe it would work out that in a very few years they would liberate the spawn lobsters without any legal proceedings. I do not think you can compel them to do it by a strict enforcement of the law respecting spawn lobsters; the work must be educative.

By Mr. Daniel:

Q. Well, according to your logic that would close up the lobster factories?—A. What is that, sir?

Q. If the fishermen instead of bringing these small lobsters into the canneries threw them overboard, according to your logic that would close the factories up?—

A. We are not talking of small lobsters, we are talking of berried or spawn lobsters.

By Hon. Mr. Brodeur:

Q. Do the canners refuse to receive these berried lobsters?—A. No.

Q. They do not refuse to receive them?—A. They do not refuse to receive them, they have not done so of late years.

By the Chairman:

Q. What has been the effect upon the lobster industry of the hatcheries that have been established?—A. I think the effect has been beneficial, it cannot be otherwise. In the vicinity of these hatcheries we notice in the fall of the year, particularly in the vicinity of Cape Traverse where they fish for a month or more until the 10th August, after the small lobsters are liberated from the hatchery a great many fishermen have told me they have found quite a number of small lobsters—what I mean is a little lobster about that long (illustrating with the hands) adhering to the traps. Previous to the establishment of the hatchery that was not noticeable so we attribute that to the hatchery. These lobsters are the product of the hatchery, we think.

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By Mr. Fraser:

Q. At what factory was that noticed?—A. Well these are factories located in the vicinity of Cape Traverse and from Tryon west where they have fishing from the 25th May until the 10th August.

Q. What hatcheries are located near there?—A. From the hatchery at the mouth of the Charlottetown harbour the lobsters are distributed all up that coast.

By the Chairman:

Q. A great deal has been said of late years, and there has been a very strong expression of sentiment, in favour of limiting the number of licenses. What have you to say in regard to that?—A. I think that limiting the number of licenses has been a benefit to the industry. On the whole I do not know that it has protected very many lobsters but it has certainly had the effect of producing a better article; it has confined the business to legitimate canners whose interest it has been to produce a good article. I think in that way it has been a great benefit to the industry.

By Hon. Mr. Brodeur:

Q. Are the canners doing anything to enforce the regulations?—A. Are the canners doing anything to enforce the regulations?

Q. Yes?—A. The only regulation that is very well enforced is the close season. All canners realize that that is a necessity and while there may be some infringement of the law in certain sections of the province and in the Magdalen Islands also it is not general by any means. Still it should be stopped absolutely. The close season certainly should be observed and there is no difficulty with a little effort and energy on the part of the officials in stopping illegal canning because the great majority of the canners believe that it is right to do so.

Q. But as far as the size limit and the canning of berried lobsters are concerned I understand the canners are not doing very much to enforce the law?—A. They have done nothing so far.

Q. They have done nothing?—A. No, nothing so far, they have taken everything that has been offered.

By the Chairman:

Q. Efforts have been made to enforce the close season and to prevent illegal fishing I think, Mr. Tidmarsh?—A. Yes. That was taken up by Sir Louis Davies when he became Minister of Marine and Fisheries and he and the officers did very effective work. Prior to that the close season was not respected much more than the size limit regulation was or the law against taking berried lobsters. But when in 1896 Sir Louis Davies became Minister of Marine and Fisheries he took a very determined stand on these matters. He was determined that the close season should be enforced and he appointed a party in Prince Edward Island, Mr. Hopkirk to look after that. That gentleman did his work very well and very effectually and practically stopped it in two years. The violation of the law was a general thing when he received his appointment and in two years he had it practically stopped. Had the same strict enforcement been maintained up to now there would be no illegal fishing in Prince Edward Island to-day.

Q. What is your opinion as to the length of the season?—A. We have two seasons in Prince Edward Island. In one section it extends from the 20th April to the 10th July. In another section it was from the 25th May to the 10th August. The last named season applies to only a small section of Prince Edward Island which extends from Cape Tryon to West Point, a distance I should say of about probably 40 miles. The lines inclosing the waters to which this close season also applies cross the straits to the mainland and it is operative in the County of Westmoreland, N.B., from Indian Point to Chokfish River.

Q. What do you say as to the length of the season, sir?—A. I think it is very well as it is. I do not think it would be prudent to take anything off the first part of

the season because if you interfered to any great extent with fishing during the month of May you would hamper the industry a great deal. Two-thirds of the lobsters are put up during the month of May. I think the season as it exists now from the 20th April—

Hon. Mr. BRODEUR.—From the 26th April now.

The WITNESS.—Is it from the 26th April now? Well from the 26th April to the 15th July is a very good season. If the department, after investigation, were to consider it necessary in the interest of the preservation of the lobster industry to shorten the season I think it might take ten days off the latter end.

By Mr. Fraser:

Q. What time do you say the season closes?—A. The 10th July in most places. I think the Commission of 1898, which inquired into these matters, did its work very well. I believe in these Commissions because they take evidence on the spot and they are better able to form an opinion.

By Hon. Mr. Brodeur:

Q. Do you mean to say that a Commission can better form an opinion than this Committee of the House?—A. Yes, I think so because they have the advantage of hearing both sides, of hearing all parties interested. I think that the fisherman should be represented as well as the canner. There are only between six and seven hundred cannerymen whereas there are about 20,000 fishermen. They have a right to be heard and they only can be heard by the appointment of a Commission. There have been two Commissions within my recollection that investigated the lobster fishery and in both cases they did good and effective work. I was going to speak about the commencement of the season. It is a great advantage to be able to set our traps as early after the ice leaves as possible in most parts of the Island. There may be some parts where it is not advantageous but in most parts it is. Take for instance at Rustico, on the north shore of Prince Edward Island. In 1900 we started on the 3rd May, that is received lobsters on that date; in 1901 and 1902 on the 24th April; in 1903 on the 23rd April; in 1904 on the 27th April; in 1905 on the 26th April; 1906 on the 23rd April; in 1907 on May 9th, that was a late season; and in 1908 on April 27th. So in most cases you will notice we commenced to receive lobsters in April. The same thing applies to the other canneries. Most of the other canneries were always able to get to work in April and it is a great advantage to do so. We do not fish very long in Prince Edward Island. I have the statistics of one cannery which I will give to the Committee. This cannery is located at Rustico. In 1900 there were 46 fishing days; in 1901, 41 fishing days; in 1902, 33 fishing days.

By Mr. Fraser:

Q. Mr. Tidmarsh, you will have to tell the Committee what makes the difference in the number of days. Tell the Committee the reason you fish one year for 33 days and perhaps the next year 45 days?—A. It is owing to the stormy weather. Fishing operations are interrupted by storms. I would add that in 1903 there were 51 fishing days.

By Hon. Mr. Brodeur:

Q. Does this stormy weather occur at the beginning of the open season or during the season?—A. At the beginning of the open season we usually have very moderate weather for several weeks. Storms occur during the season in May and sometimes in June. There was one time in June, 1902 when we only had landed at Rustico factory 6,618 lbs. of lobster. A storm came and practically cleaned us out; we did scarcely anything during the month of June, so it shows the importance of starting in May. Well in 1904, we had 57 fishing days at that factory; in 1905, 55 fishing days; in 1906, 57 fishing days; in 1907, 48 fishing days; in 1908, 57 fishing days. In other words during the seven years we fished on an average 49½ days out of the season. That applies pretty generally to Prince Edward Island.

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By Hon. Mr. Brodeur:

Q. You are no doubt aware that the local Legislature unanimously passed a resolution the other day asking that the season should open on the 26th April?—A. Yes, I am aware of that, but perhaps it is not always prudent to listen to what the Legislature do. They passed unanimously a resolution asking for a tunnel but I have not heard that they have received it. Next year they may pass a resolution asking for an airship. I really think the 20th April was about right. In my opinion these changes should not be made without consulting the parties interested. I think they should have a chance to express their opinions before any change is made in the lobster regulations.

By Mr. Fraser:

Q. Before you leave that point let us clear it up. Have you got any statistics to show that you caught lobsters on 20th April?—A. On the 20th April?

Q. Yes?—A. Not on the 20th April because we have first to set our gear and it takes a week.

Q. In April?—A. I have already given statistics to show that we have.

Q. What time in April?—A. Do you want me to read them again?

Q. Give the earliest date?—A. I have the statistics of several factories from 1900 to 1908. I will give you the figures for Rustico if you wish them over again but perhaps I had better take some other cannery. I will take Sea Cow Pond. I will take the period from 1903 to 1908: April 22nd, April 28th, May 1st. These are the days on which we receive lobsters.

By Hon. Mr. Brodeur:

Q. You need not go any further with that. Give us the quantity of lobsters caught in April?—A. The quantity of lobsters caught in April?

Q. Yes?—A. I cannot do that, I have not got the information.

Q. I thought you were reading some statistics of that nature?—A. I am giving statistics of the date on which we received lobsters at the cannery but not the quantities of lobsters.

Q. Give us then statistics that you have got respecting some of your other canneries—A. These statistics are the dates on which we received lobsters at the cannery.

By Mr. Fraser:

Q. The first day?—A. The first day on which we received lobsters at this particular cannery. This cannery is at Sea Cow Pond.

Q. In what year did you receive lobsters on the 22nd April?—A. That was the year 1903.

Q. On what day did you receive lobsters in the year 1904?—A. 28th April.

Q. And the next year?—A. 28th April, 1905.

Q. And the next year?—A. First day of May.

Q. 1906?—A. Yes.

Q. And the next year?—A. 20th May. That was the season when the ice remained on the coast.

Q. And the next year?—A. 30th April.

Q. So that on the average you have not received very many lobsters before the 20th April?—A. No, but we have had the advantage of having our gear in the sea. It takes a week or 10 days to put the gear out.

Q. Is it not a disadvantage to put the gear out too early?—A. We have never experienced it.

Q. You have never lost your gear?—A. No.

Q. They have in some parts of Prince Edward Island?—A. Not very many, I think. They may have in some places, but not very many.

Q. In your locality the average catch would begin about the 28th April?—A. Yes, I think that would apply to most parts of Prince Edward Island.

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Q. The new regulations could not do any harm to that factory then?—A. Why?

Q. You can open on the 26th April?—A. Yes, but if we begin to receive lobsters on the 28th April that only gives us two days to set our gear.

Q. Cannot you set it in two days?—A. No, indeed, we cannot, it depends upon the amount of gear. It would take ten days to set the gear and it is several days after it is set before it fishes.

Q. Did it take ten days when you received lobsters on the 22nd April and the season opened on the 20th?—A. I wish to make an explanation in connection with that year. That year the 20th April occurred on a Sunday and the department granted us permission to set our traps on Saturday 19th, which gave us that much advantage.

By the Chairman:

Q. Would you have the lobster regulations passed by order in council or have them statutory?—A. I think they should be statutory. If statutory they would be more respected. The trouble is that they are so liable to change that the people seem to lose confidence in them. Any method that can be changed, or tightened, or relaxed does not seem to command the respect that a statute does. I think all our fishery laws should be statutory and it should be the duty of the department to enforce those laws. For example, if our laws were statutory any change that was proposed would have to come before Parliament and then we could make our views known through our representatives. Now the regulations are made by the Marine and Fisheries Department and we don't know anything about them until they become effective.

Q. Speaking about the traps used, what have you got to say as to the size of the openings in the traps?—A. The openings in the traps are smaller now than they used to be but not smaller than they were say five years ago.

Q. Do you think it is advisable to have them smaller?—A. You cannot have them much smaller. As a matter of fact the fisherman in his desire to prevent small lobsters from escaping stops the large ones from entering the trap.

Q. The suggestion was made since this committee was formed that the lobster fishermen be licensed and that none but bona fide fishermen received a license. What is your opinion upon that question?—A. I do not think it would be well to extend the license system to the fishermen. I think that would make it entirely too complicated and it would be difficult to determine who would be bona fide fishermen. What would be the qualification, what would be the standard. If you accept none but those fishing now, in one generation we would have no fishermen. I think that would be a complicated regulation in its operation and absolutely unnecessary.

Q. There was a matter brought up here at the earlier sessions of this committee with regard to the treatment of our fishermen in the State of Maine and the treatment of American fishermen here. What difference is there in the treatment in the State of Maine for those Canadians who wish to fish lobsters there and the treatment that the American citizens receive here?—A. There is no difference. If a Canadian citizen wishes to locate a lobster factory in the State of Maine he would have a perfect right to do so. There is no law to prevent him from doing so

By Hon. Mr. Brodeur:

Q. Are there any lobster canneries in the State of Maine?—A. No, because it is not profitable to operate them there. Lobsters go into the market alive. There is no distinction made there between Americans and Canadians; any one can locate there.

By Mr. Daniel:

Q. Can our fishermen engage in the fishing industry in the United States?—A. Do they engage in the fishing industry?

Q. Are they allowed to do so by law?—A. They are, certainly.

Q. They are?—A. Certainly, they go from Nova Scotia by the hundred every spring to engage in the fishery.

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Q. That is in the deep sea fisheries?—A. In the deep sea fisheries. There is nothing to prevent them from engaging in the shore fishing. Canadians can go there and operate. Any man can go there and buy lobsters or any other fish excepting clams. He could not fish clams because the towns own the clam beds.

Q. Could a Nova Scotian own a fishing vessel in the United States?—A. Could he own a fishing vessel in the United States?

Q. Yes?—A. No, sir, he could not. Neither could an American own a fishing vessel here.

Q. Could he sail a fishing vessel as captain?—A. I think not without taking the oath of allegiance. I think that is a common thing in all countries, that the captains of vessels must be citizens of the country.

Q. They will allow them to work for somebody else, but not to run a ship of their own?—A. Not run a ship of their own, but they can run an establishment of their own on shore. You refer to fishing vessels. It is marine law I suppose you are talking about now. Marine law differs, you know, from the law governing operations on shore.

Q. You are speaking of the fishing industry whether at sea or on shore. You say that while the law provides that no aliens shall command a fishing vessel in the United States there is no law to prevent an alien from engaging in the fishing industry on shore?—A. None.

Q. Or preventing him from owning ships or boats?—A. Or any ships or boats provided those vessels are not registered.

Q. You cannot register a vessel over there?—A. Aliens cannot register vessels in their own names. They cannot here, can they?

Mr. DANIEL.—Well I am not on the witness stand.

By the Chairman:

Q. We have gone into the question of the enforcement of the law. Can you give us any idea, seeing that this matter has been brought before us as to the extent and methods of business of the American canners who operate in Canada?—A. Yes, I think I can tell you all about it.

Q. Please tell us briefly?—A. What is it you particularly wish to know about the business?

Q. The extent of the——?—A. The extent of the business?

Q. Of the American canners?—A. I can speak of the Portland Packing Company and tell you exactly what they are doing. I have no objection to telling you.

Mr. FRASER.—What is the witness going to tell us now?

The CHAIRMAN.—He is going to speak about the extent of the operations of the American canners in Canada.

A. Oh the American canners? I am going to give you now the output of the canneries of the Portland Packing Company in Canada—I mean in Prince Edward Islands and the Magdalen Islands. This is for the year 1908, the past year. There were 8,085 cases of lobsters packed in their own canneries. That is for Prince Edward Island and the Magdalen Islands. In New Brunswick there were 4,697 cases packed. The total number of lobsters packed by the Portland Packing Company in Canada that year was 12,755 cases. That is cases of lobsters put into one-pound cans. There were purchased from Canadian canners 5,148 cases, or a total of 17,903 cases. That is what we handled in Canada last year.

Q. The Portland Packing Company is really the largest of these firms?—A. The Portland Packing Company and Burnham and Morrell are the two largest operators. I cannot give you anything definite about the operations of Burnham & Morrell. I should say their output is about the same. Taking the two concerns the output would be between 38,000 and 40,000 cases, a large proportion of which were purchased by them.

Q. Have they any special methods of doing business in Canada?—A. No, I do

not think so. They came and located their factories here and have had them here for many years, for over 40 years, and they employ Canadian labour entirely.

Q. They do not import any American labour?—A. They import no labour. I could not tell you exactly how many people we employ in Prince Edward Island or the Magdalen islands. I should say several thousand. There is one young man working for me who is an American citizen and he is the son of a friend of mine.

Q. You yourself are not an American citizen?—A. I am not an American citizen and never expect to be.

By Mr. Fraser:

Q. Just on that. You say there is no lobster fishing on the coast of the state of Maine?—A. I said there was no fishing.

Q. Yes?—A. I don't think I said so.

Q. You said there were no canneries there?—A. There are no canneries there.

Q. Have there ever been canneries there?—A. Yes.

Q. What happened to the canning industry there?—A. When the live lobster industry came into prominence the canneries closed because it was more profitable for the fishermen to sell to the live lobster dealers than to canners; the live lobster dealers would pay more for the live lobsters.

Q. Did you ever do any live lobster exporting?—A. No.

Q. You never did any?—A. No, I have had no experience in the exporting of live lobsters.

By the Chairman:

Q. This investigation has been conducted for some time into the lobster industry but the scope of the committee is wider than that; it is intended to take up all the fisheries. I am not going into any other subject just now, but simply to ask this question. The advisability of a fishery Board of management on the coast has been suggested. What is your opinion as to that?—A. I think a fishery Board of management, that is a local Board to act as an advisory Board to the Marine and Fisheries Department, is a very necessary agency. I think it would be a good thing. This Board would be present on the spot. They could get a better idea of the fisheries in general and the requirements than could be done by men in the department at Ottawa.

By Hon. Mr. Brodeur:

Q. How many Boards would you suggest?—A. I would suggest one Board for the Maritime Provinces.

Q. One Board for the Maritime Provinces?—A. I think one Board for the Maritime Provinces would be sufficient.

Q. You would have no Boards outside of that?—A. I think one Board composed of three or four men would be sufficient for the Maritime Provinces.

By the Chairman:

Q. That is something on the same principle as the Scotch Board?—A. Something on the same principle as the Scotch Board.

Q. Could you give us some information on that point?—A. I cannot give you very much. I have some little information here that I noted one time but it is not very—

By Hon. Mr. Brodeur.

Q. You suggest the creation of a Board as an advisory body?—A. I think as an advisory body.

Q. The Board in Scotland is more than that, it is an administrative body?—A. I think in Scotland it is more than that.

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By Mr. Daniel:

Q. Do you think it would be better to have the Board an administrative body?
—A. Well you might make it an advisory body first and then later, after getting some experience, it might be well to convert it into an administrative body; but I do not believe in these sudden, extraordinary changes. I think we ought to go slowly in these matters, feel our way and find out what is the most suitable. Certainly we should have some Board in the Maritime Provinces that would look into these matters right on the spot and that would be there and be able to adjust things and recommend to the Department what should be done.

Q. If their recommendations were considered to be of value would it not be better to give them the power to put them in force?—A. Perhaps it would, I am not sure about that. I would not like to express an opinion because I do not know enough about it; I do not know how these Boards work. It would be only tentative, it would be experimental, and perhaps it would be well first to constitute an advisory board and if it were found better afterwards to make it into an administrative board that would be very easily done. I think that in the case of such a Board the Commissioners, or whatever they may be termed, should work without salaries. They should be willing to give their time, it would be only a matter of a few weeks in the year, to give their time for nothing. That is the way they do in Scotland.

By Hon. Mr. Brodeur:

Q. How would that Board be composed?—A. How would you compose it?

Q. Yes?—A. Compose it say of one man from Prince Edward Island, two from Nova Scotia and two from New Brunswick. These should constitute the Board.

Q. What kind of men would you require, business men or fishermen?—A. I think all interests should be represented.

Q. All interests should be represented?—A. On that Board? I think so.

Q. You would have a constant fight between those different interests?—A. Well there are only three interests; there would be the canner, the exporter of live lobsters and the fisherman.

Q. Yes, but there are other fisheries also?—A. Yes, there are other fisheries.

By the Chairman:

Q. This would be a general Board?—A. I know it would be a general Board. I quite understand that.

By Mr. Daniel:

Q. Does the Scotch Board exercise any oversight over lobster fishing? There it is mostly herring and other kinds of fish but not shell fish?—A. The herring fishery is their chief fishing industry in Scotland. They have lobsters there also and I presume the Board would have supervision of all the fisheries and of the officers that are appointed by the Government.

By Hon. Mr. Brodeur:

Q. To-day the department receives advice not from a regularly organized Board, but from the officers and inspectors of fisheries under its control in different parts of the Maritime Provinces?—A. Yes, I know but you take those fishery officers that are in the Maritime Provinces and they are not very enthusiastic about the fisheries. They receive small salaries, some of them I believe from \$40 to \$50 a year, and you cannot expect very great results from men paid in that way.

By Mr. Daniel:

Q. Is there any other reason why they have lost their enthusiasm?—A. I don't

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think they ever had it to lose. I never knew but one fishery officer in Prince Edward Island, and that was a man by the name Hopkirk who was very enthusiastic. The rest of them do not appear to care very much whether the regulations are carried out or not.

Q. Is it not a fact that the fishery officers have been discouraged from the fact that if they report any one for an infringement of the fishing laws, after a while the fine, if there is one inflicted, is remitted? The officer finds that his efforts are of no avail and that instead of protecting the fisheries and carrying out the law he is making enemies for himself? Is there not a good deal of that about it?—A. I think there is.

Q. You think there is?—A. Yes, I think there is a good deal of that about it, the officers have not received the support they should have received.

By Hon. Mr. Brodeur:

Q. Are you able to say from your own knowledge that the Department of Marine and Fisheries has remitted fines within the last two or three years?—A. No, they have not remitted fines, no one has been fined that I am aware of. I think that in some cases the fishery officer has not received quite the support from the department he should have received.

Q. Well, now as to that point, it is a serious charge against the department and I want to find out how far you are informed on the subject. Tell me in what case any such action was taken?—A. I can tell you, Mr. Brodeur, of one case. There was a case taken by a fishery officer in Prince Edward Island against a party for violation of the fishery regulations.

Q. When was that?—A. When was it? I should say perhaps three years ago?

Q. What is the name of the man?—A. Is it necessary that I should give the whole facts?

Q. It strikes me as very extraordinary because I do not remember ever remitting any fine?—A. I think this was before your time.

Q. You have just made the general statement that the officers do not get any encouragement from the department because we are in the habit of remitting fines. I want to tell you that that is a statement which I am sure cannot be supported by the facts?—A. About the remission of the fine? I did not say there were any fines remitted. I said I did not think the officers in all cases received the support from the department that they should receive. But if you wish me to cite this particular case I will cite it. It was the case that was taken by Mr. Hopkirk against Messrs. George D. Longworth & Co. for the violation of the Fisheries Act and Mr. Longworth was summoned to appear in Court.

By Mr. Fraser:

Q. What provision of the Fisheries Act did he violate?—A. I think the charge was fishing out of season or something of that kind. The trial was set down for a certain day and the department telegraphed to Mr. Hopkirk to postpone it. He postponed it for a week and then they telegraphed him to postpone it again. Eventually after several postponements they wired him not to proceed with the case. That is one case that I know of.

By the Chairman:

Q. That was several years ago?—A. That was several years ago. I daresay Mr. Warburton is familiar with the case too. That is one case I have given you. I do not know what the extenuating circumstances were. I don't know why the department did that. They might have had some good cause for doing it, I cannot tell you that, but it was certainly rather discouraging and that particular case was known all over the province and I think the fishery officers perhaps heard of it.

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By Mr. Fraser:

Q. You say the violation of the law consisted in fishing after the season?—A. I think so, fishing after the season or something of that kind.

Q. You are aware that the season is well observed in Prince Edward Island with some slight exceptions?—A. It is well observed in the counties of Kings and Queens, it is remarkably well observed there is no question about that; but in the county of Prince there are some sections where the law is not observed.

Q. Where it is not observed?—A. Not very well observed.

By Hon. Mr. Brodeur:

Q. Is the case you have cited the only one you have in mind?—A. That is the only case I know of.

Q. So that when you stated a few minutes ago that the officers do not get the support from the department, the encouragement, which they should get, you were simply relying upon this particular case?—A. That is the only case I can cite.

Q. Do you know of any other case where the officers are not fulfilling their duties?

The CHAIRMAN.—I think if I remember aright the case in question was one in which the employees of this firm packed lobsters after the season.

The WITNESS.—I am not sure as to that but I remember the case.

By Hon. Mr. Brodeur:

Q. Of course, the law has not been carried out with regard to the size limit?—A. The law has not been carried out? No, it has not.

Q. If it has not been carried out that was not the fault of the department?—A. Oh, no.

Q. It was a matter of general consideration?—A. General consideration, certainly.

Q. Have you got any other facts to substantiate the charge that the department are not encouraging the officers there?—A. No.

By Mr. McKenzie:

Q. What would you say should be the functions of the fishery board, what duties would you assign to them?—A. I would assign to them the general supervision of the fisheries.

Q. Regulating the season for example?—A. Being on the spot they might recommend to the department and consult with them and lead the department, or the government to make laws.

Q. Recommending the extending or shortening of the season would be one thing would it not?—A. Yes, if they deemed that necessary.

Q. Would you submit to their judgment the size limit of lobsters which should be caught or taken?—A. I think so, that would be part of their functions.

Q. And what else would you say?—A. The length of the season.

Q. That was your first suggestion and the size limit was the second. Is there anything else that you think should be within their jurisdiction?—A. Well, the limitation of canneries.

Q. And the number of licenses?—A. The number of licenses to be issued.

By Mr. Daniel:

Q. Is there any inspection of the lobster meat at the time it is being canned?—A. There is none.

Q. There is no inspection of the product before it is canned?—A. None.

Q. None at all?—A. No.

By Mr. McKenzie:

Q. I suppose the question of the propagation of lobsters would be a subject for this board to deal with?—A. It certainly would.

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Q. And the inquiring into the operation of hatcheries and pounds?—A. Yes.

Q. You have no lobster pounds on the Island?—A. No, we have none.

Q. You are familiar with that method of propagating the lobster?—A. I know something about it, but I have had no practical experience.

Q. You would not be in a position to say how the pound compares with the hatchery in regard to the propagation of the lobster?—A. No, I would not.

Q. Why would not a competent inspector, one man, a capable inspector, do that within his district just as well as the board?

Hon. Mr. BRODEUR.—Or have the different inspectors meet and confer daily.

By Mr. McKenzie:

Q. Is there any good reason why this could not be done if you had the right man?—A. The difficulty would be to get the right man.

By Hon. Mr. Brodeur:

Q. I suppose the same difficulty would present itself in the formation of such a board?—A. No, I do not think so because as a matter of fact all the departmental officials are appointed politically, they are political appointments, and the government do not always get the most efficient men. An unpaid board would be a board composed of people who for the love of it would take an interest in the carrying out of regulations for the preservation of the fisheries.

By Mr. McKenzie:

Q. Is it not true that we have very few such men of leisure in the maritime provinces?—A. There are not very many. You could not expect the same body to serve more than three years. A man could serve three years on the board gratuitously and resign in favour of some person else. I think you would find enough patriotic men down there who would be willing to do that.

By Mr. Daniel:

Q. The chairman of the Scotch board, I think, is a paid officer?—A. The chairman or secretary, I am not sure which. In the event of your having a board that served gratuitously you would have to have a paid secretary.

Q. And other paid officials?—A. And probably other paid officials under the board.

By the Chairman:

Q. Would not a board of that kind be constituted on the same principle as boards of trade. Those attend to the business because it is to the general interest?—A. Yes.

Q. They do not get paid, but they serve because it is to their interest as business men to have these questions attended to?—A. Yes. There is one thing I have not expressed an opinion upon and that is the limitation of the licenses.

Q. What have you got to say as to that?—A. The regulation limiting licenses is a very unpopular regulation, and I think it must cause the department a very great deal of trouble. It does not seem in some cases exactly fair that one man should be given a privilege over another. I know that in Prince Edward Island it has caused a good deal of friction and trouble. For example, a young man who thoroughly understands the business wishes to embark in it, that is in lobster canning. He makes application for a license and he is refused one. That man feels aggrieved, he feels that he has been injured, and I don't know but what he has been. I think the department have a perfect right to place on the license what limitations they see fit. They might limit the packing season, for example, to two weeks; but if a bona fide canner who understood the business and intended to put up an up-to-date, modern lobster cannery wished to embark in the business and applied for a license I think he should have it.

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Q. That is you would not restrict the number?—A. I would not restrict the number provided the man who goes into the business intends to invest some money in it and intends to put up a proper cannery and that might be regulated by stipulating what shall constitute a cannery.

By Mr. McKenzie:

Q. Along the lines suggested by the minister, what would you think of boards composed of the fishery inspectors? We have four or five men who are inspectors of districts. For instance in Cape Breton we have one inspector I think.

Hon. Mr. BRODEUR.—There are three in Nova Scotia.

Mr. McKENZIE.—There are three in Nova Scotia and you should have one or two on the Island.

Hon. Mr. BRODEUR.—Two in New Brunswick and one in Prince Edward Island.

By Mr. McKenzie:

Q. If that board, or a quorum of it would go on circuit and hold court at the different centres and listen to what might be said by the packers and the fishermen it ought to be possible to put right some of the grievances represented to them or make recommendations to that effect to the department? If we cannot get a Board composed of gentlemen of leisure do you not think that courts going on circuit composed of these inspectors would have a good effect upon the fishermen and the packers and also upon the inspectors themselves?—A. It possibly might have but I do not think it would take the place of an independent board. They are departmental officials and they are under the guidance of the chief officers at Ottawa and they would not be able, perhaps, to act as independently as persons who were absolutely independent.

Q. Well why not, if you take a competent official why is he not absolutely independent in the making of a recommendation along the line of his duty?

Hon. Mr. BRODEUR.—I am afraid, Mr. Tidmarsh, that your statement with regard to the independance of the local officers and local inspectors is not very well in accordance with the facts.

The WITNESS.—It is not in accordance with the facts?

Hon. Mr. BRODEUR.—Because the local inspectors have got absolute freedom.

The WITNESS.—They have?

Hon. Mr. BRODEUR. Yes.

The WITNESS.—I was not aware of that. Of course, I only made that suggestion. I thought it might be the case that they might be influenced by the chief officials at Ottawa. You say they would not. I do not think they would be quite as independent as the members of such a Board as I suggest.

Hon. Mr. BRODEUR.—I mean as far as their recommendations are concerned. I do not mean to say that all their recommendations are acted upon, but as far as their recommendations are concerned they are absolutely free.

The WITNESS.—As far as their recommendations are concerned they are absolutely free?

Hon. Mr. BRODEUR.—Yes.

The WITNESS.—Well, their recommendations are not always acted upon.

By Hon. Mr. Fielding:

Q. I am not a member of the Committee but I am very much interested in the subject and perhaps I may be pardoned for asking a question or two. You speak of having an independent Board and you contrast that Board with a batch of officials under the influence, as you say, of the Department. Suppose the so called indepen-

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dent Board did something which in your judgment was not reasonable and proper, what then?—A. Well, how could they do anything? It could not take effect until it had received the sanction of the Department or the sanction of Parliament.

Q. That is precisely the same condition that exists with regard to the officials today: they cannot make regulations, they can only recommend. Wherein would that differ from a Board in that respect?—A. Wherein would a Board differ from the officials?

Q. Yes?—A. In perhaps being more independent.

Q. They would not have so much knowledge as to the fisheries, they might not have so much capacity?—A. Perhaps they would have more knowledge and more capacity. If you made a judicious selection they would have more knowledge.

Q. You think you would get men who would be willing to assume these duties with greater knowledge than officials who have spent a good deal of their lives in close touch with the fisheries? Is it reasonable to suppose that in the way you suggest you would get gentlemen to sit as Members of this Board who are familiar with the fishing industry?—A. I think you would.

Q. You would have them serve on this Board for three years and then pass out?—A. You cannot expect them to serve forever.

Q. Would not that have this result: that about the time they would know a little about the fisheries they would have to go out?—A. My idea would be to appoint men who know all about it.

Q. Do you think such men can be found?—A. I think they can be found. I think they certainly can be found in Nova Scotia, and the other Maritime Provinces, prominent fish merchants for example, who know all about the fisheries. I know I read from time to time letters in the papers, in the Halifax 'Chronicle' or the Halifax 'Herald', from men who seem to know a very great deal about the fisheries.

Q. Admitting that, as a matter of fact fishermen are generally pretty suspicious of these prominent merchants are they not?—A. Yes, they are.

Q. And yet you think such men if appointed to a board would have the confidence of the fishermen? Would they not be just as likely to have trouble with the fishermen as the officers would?—A. The fishermen should also be represented on the board.

Q. Then can we get the average fisherman who can afford to give his time to these duties for nothing?—A. That would appear to be a difficulty.

Q. I am afraid it would.—A. That would appear to be a difficulty, getting the fishing element represented on the board. They could hardly be expected to serve for nothing.

By Mr. Daniel:

Q. Do you know the character of the men who serve on the Scotch board?—A. I do not. I think the fishermen are represented on that board.

By the Chairman:

Q. Have you got the composition of the Scotch board with you?—A. I thought I had some extracts relating to it but I do not appear to have that information.

MR. DANIEL.—I think in one of the reports of Prof. Prince there was a statement given of the constitution of the Scotch board.

HON. MR. BRODEUR.—Mr. Venning has the information upon that.

MR. DANIEL.—It was in some report that I saw the information.

HON. MR. FIELDING.—In the old country there is a large leisured class who are able to give their services gratuitously, but this country is hardly old enough to have developed such a class.

MR. DANIEL.—Supposing they were paid their expenses?

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By Hon. Mr. Brodeur:

Q. What do you think, in connection with the board idea, of the idea of having the inspectors meet occasionally here in Ottawa, or in the Maritime Provinces, to confer as to the regulations necessary and the best method to be adopted to protect our fisheries?—A. I think it would be beneficial.

By Mr. Loggie:

Q. At the factories you have named do you know how many lobsters it takes to the pound can?—A. Yes. There is only one factory I have named, Mr. Loggie, where we take lobsters by count. I can give you the average.

Q. You have given us five pounds?—A. That is weight.

Q. That is weight I know, but I mean the number of lobsters it takes to the pound can?—A. I will give you the general average of three years at the one cannery where we take lobsters by count and where they are very small. It is 9.64.

Q. Then I suppose you can tell us what the percentage would be there under seven inches in size?—A. There would be a very large percentage under seven inches, I could not tell you how many.

Q. Would there be one-half?—A. I would not like to say so because I have not made accurate measurement and I cannot say definitely.

Q. There would be more than one-half for this reason: Prof. Prince has said it would take nine lobsters of seven inches to make a can. How many of these small lobsters do you say it would take?—A. 9.64.

Q. If it takes 9.64 there would be over half of those lobsters that are under seven inches?—A. Well, probably.

Q. If the lobsters under seven inches had to be thrown back into the water could the factory be operated and pay expenses?—A. No.

Q. That is to say with the hope that the following year these lobsters would be perhaps on the grounds and even grown to a proper size? Even if these lobsters could be caught the following year could the factory be operated?—A. No, I do not think so.

Q. Have you any suggestion to make? Suppose the department in their will thought it was necessary for the future of the lobster industry to enforce the size limit, what could you suggest as a way of getting out of the difficulty in the interest of those who have capital invested in the lobster industry?—A. If the department decided to enforce the size limit we would certainly have to close our factories, that is all there would be about it.

Q. Can you not suggest some other way?—A. And still preserve the fisheries?

Q. With a view of enforcing the size limit, say later on? Could this be done with less hardship to those who have invested their money in the industry: that next year the size limit would be made seven inches and the year after made a little larger and so on?—A. We would close our factories, we would not operate at all.

Q. You would not operate at all?—A. No, we would close our factories, there would not be any doubt about that.

Q. There is another perhaps very important matter and that is about the berried lobsters. Are the factories that you think doing all they can to help the department by saving those berried lobsters?—A. The factories are doing nothing to help the department in that respect.

Q. The factories are doing nothing?—A. No.

Q. Could you not suggest something as to how the factories could help the department?—A. I think I have already made a suggestion along those lines.

Q. I was not here when you made that suggestion?—A. I suggested that the department send a competent officer to the maritime provinces to lecture to the fishermen and to form unions for the protection of berried lobsters and to pledge

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themselves to liberate these lobsters. I think it could be done. There is a strong sentiment in favour of it to-day.

Q. That is a very good suggestion, but have you anything else you could suggest besides that? Have you not places along your coast where these spawn lobsters could be bought from the fishermen and set at liberty, the fishermen to be paid for them at the end of the season?—A. I don't think so. I think that that would be too expensive a process altogether, to buy all the spawn lobsters. If you are going to buy from the fishermen all the spawn lobsters in Canada, it would amount to an enormous amount of money. If you once introduce that plan in one section of the country it will soon spread to the other. The fishermen will all be demanding payment and in a very short time you would be paying for spawn lobsters along the whole Atlantic coast.

Q. There is already a place in Nova Scotia where a large quantity of spawn lobsters are bought in that way. They are then liberated and the fishermen are paid for them at the end of the season?—A. Where do they put these lobsters.

Q. They have a pound, called the Baker pound?—A. That can only be confined to certain localities, you could not have that as a general plan.

Q. Could not the officials go around and pick out suitable places for that purpose?—A. They certainly could but what are you going to do with the fishermen who is not in the proximity of the pound and cannot sell his berried lobsters? He would demand pay for his lobsters, he would demand that a pound be established in his locality so that he could sell his berried lobsters also.

Q. I think it would have an excellent effect if carried out in certain localities?—A. Your plan would be very expensive. About one-third of the lobsters taken in Prince Edward Island are spawn lobsters.

Q. It would save a good deal of money?—A. Yes, why not save that? I maintain that if the fisherman is properly instructed and properly educated he will return spawn lobsters to the water and it will not affect him very much during the season because he will get that lobster after it has deposited or hatched its spawn. I don't think it would affect a cannery to the extent of five cases of lobsters a year: If all berried lobsters are liberated he will get them again after they have deposited their spawn.

Q. I don't know about that?—A. I have never made the experiment, but I will tell you what a friend of mine did on the north shore of Nova Scotia some years ago. He told me that he took 50 spawn lobsters, tagged them and liberated them out on the fishing grounds. He told the fishermen to report to him from time to time if they caught these lobsters and when they caught them without the spawn on to bring them to the cannery. During the season nearly every lobster was accounted for; it was delivered to the cannery without the spawn.

Mr. LOGGIE.—That shows these lobsters spawn before the season is over?

By Mr. Fraser:

Q. How could he tag a lobster?—A. By taking a piece of wire and putting it around the claw.

Q. Do they not cast their shell every year?—A. They cast their shell, but the shell was not cast at the particular time that the wire was over. That would not prevent the lobster from changing its shell.

Q. If you put a wire around him would it not?—A. Not at all. If you put a wire around the claw the lobster would be tagged. The meat shrinks so it is drawn through the claws of the lobster.

By Hon. Mr. Fielding:

Q. You stated that if any attempt were made to enforce the size limit, either the present limit or almost any other that might be established, you would have to close up your cannery. Now that would probably be true as respects the size limit, but as

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respects the enforcement of the regulation prohibiting the taking of berried lobsters?—A. It would not be.

Q. It would be hard sometimes to educate the fishermen, there being so many of them. It ought to be easier to educate the canner because he is not so numerous. Is it not possible to prevent the canner from taking berried lobsters?—A. I think it is.

Q. I think the canner who uses berried lobsters commits a very grave offense for which there should be very little mercy on the part of the fishery officer?—A. That is right, but what about the fisherman who catches them?

Q. Do you not think it is harder to make the fisherman appreciate this than it is the canner? If there was no canning of berried lobsters the fisherman would not bring them?—A. On the other hand if the fisherman did not bring them the canner could not buy them.

Q. I come back to the point that it is easier to educate the few canners than to educate the many fishermen?—A. I don't believe in placing the whole responsibility on the canner. I think the responsibility should be assumed jointly and I think we should get at the fisherman so as to make him understand he is jointly responsible with the canner and that if he is found with berried lobsters in his possession he is responsible and if the canner is found with them he should be responsible for them also.

Q. Yes, but it is easier to look after the canner than it is to look after the fisherman and I cannot quite understand why the canner should want to use the berried lobster?—A. We don't want to use them but I believe, as I said before, with a little education you can very soon get over that and the fishermen will return these lobsters to the water. Let the two get together and have some mutual agreement. If I refuse as a canner to take spawn lobsters from the fishermen and my neighbour buys them I am not placed in a very happy position.

Q. Would it not be quite easy to enforce the law as regards the taking of spawn lobsters with the machinery existing to-day? Do you not think that if the canner were severely penalized he would cease to buy the spawn lobster and the same number of factories would run? I am trying to draw a distinction between the small lobsters and the spawn lobsters?—A. It would be very harassing. No matter how careful the canner would be, he would be liable to be fined for taking spawn lobsters.

Q. I think he ought to be.—A. How are you going to prevent it? You have 15,000 lobsters coming into your cannery. It would take ten men to examine those spawn lobsters. A fisherman can pick up a lobster and tell immediately whether it is a spawn lobster or not. You can by a little education and bringing the canners and fishermen together get the latter to agree that they will liberate the spawn lobsters while they are alive.

Q. The fishery officer would have difficulty in getting after a hundred fishermen on the coast in a morning but he can get after one cannery?—A. The fishermen have to deliver their lobsters at one central cannery. If you attempt to enforce that law very strictly, the fishermen would wash the spawn off. That is a very simple process.

Q. Is it not possible to recognize lobsters so treated?—A. It is if you examine them very closely.

Q. Could not any one of your men detect a spawn lobster the moment he looked at it?—A. An experienced person by turning the lobster over could tell but he could not if he saw the lobster lying in a pile; it would require a close examination.

Q. The idea of permitting the spawn lobster to be taken is so very bad I do not see how it can be defended?—A. It cannot be defended, I am not trying to defend it. I never see a spawn lobster in a cannery that I do not feel ashamed of myself. The regulation could certainly be carried out but with very great hardship to the canners.

Q. You have shown that the canning industry has been practically destroyed in Maine by the live lobster trade replacing it. The live lobster trade is moving quite a bit east is it not?—A. Yes, it has moved east as far as Canso.

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Q. There has been an attempt to ship live lobsters from Prince Edward Island but it has been unsuccessful; the Prince Edward Island lobster will not live.

Q. It will not live?—A. No, it is not so strong and hardy a lobster as the Atlantic lobster.

By Mr. McKenzie:

Q. You are not a packer?—A. Yes.

Q. I do not think you are giving your evidence merely from the standpoint of the canner. Your evidence is very general and very satisfactory, but is there anything that you can suggest to this committee from the standpoint of the fisherman that should receive attention in his interest?—A. I do not think I can suggest anything just now; there is nothing that occurs to me.

Q. You understand what I mean. Suppose you were a fisherman and attending here for the purpose of suggesting remedies for the evils which may exist in connection with the lobster fishery from the standpoint of the man who fishes. Is there anything you would suggest to this committee that you think should be done, by way of regulation or otherwise, to benefit the condition of the fishermen?—A. No, there is nothing that I can suggest.

Q. You have stated that in your district the fishermen and the canners take every lobster that comes no matter what size it is, and that there is a large proportion of small lobsters, perhaps under eight inches in length, canned. Has it not had a deleterious effect upon the lobster industry in Prince Edward Island, the catching of these small lobsters?—A. No.

Q. It has not had such an effect?—A. It has not.

Q. You think it is really not injurious to the lobster industry to catch these small lobsters?—A. It does not appear to be. The catch is maintained, the output is maintained year after year as I have shown by my statistics and these lobsters have been taken all along.

By Hon. Mr. Fielding:

Q. Is there a substantial difference in the size of the lobsters of Prince Edward Island as compared with the lobsters in Western Nova Scotia? Is the large lobster in Prince Edward Island smaller than the large lobster in Western Nova Scotia? Is there any particular difference in the respective waters which affects the size of the lobster?—A. There is.

Q. To a considerable extent?—A. To a considerable extent. The lobsters in Prince Edward Island are very much smaller than those in Western Nova Scotia and they always have been.

Q. So that in the event of maintaining the regulation as to size there would have to be a different size limit for the eastern waters?—A. There certainly would.

By Mr. Daniel:

Q. What is the smallest sized lobster you have found berries on?—A. Well as a rule we don't find them on lobsters less than nine inches in size. Occasionally you may find an eight-inch lobster with berries on. A party told me a few weeks ago that he saw one about seven inches in size with spawn on it; but that is a very rare occurrence. At from 10 to 10½ inches in size they reach their greatest period of fecundity.

Q. That would look as though there was not much difference in the size of lobsters in different parts of the Maritime Provinces? If comparatively few lobsters under nine inches in size become berried it would show that the size is about equal all over?—A. Well I do not think the facts would bear out that conclusion. Lobsters are

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smaller in Prince Edward Island and all around the Gulf than they are in the western part of Nova Scotia. I had some experience in the western part of Nova Scotia years ago. I operated two canneries there, one at Clark's Harbour and the other at Wood's Harbour, Shelbourne county, and I know the lobsters there were much larger than they are in Prince Edward Island and it has been that way in Prince Edward Island since I have been there.

Q. Lobsters have to reach a certain size before they can reproduce?—A. That is correct.

Q. The statement you made was that the berried lobster is generally nine inches in size or over. We have been told it is the same in the Bay of Fundy and on the western coast of Nova Scotia?—A. I suppose it goes to show that lobsters do not produce to any large extent until they have passed a limit of nine inches.

By Mr. Turgeon:

Q. How many years is it since you commenced operations in Prince Edward Island?—A. I commenced operations in 1885.

Q. Did you find then that the lobsters, generally speaking, were of larger size than they are now?—A. They were of larger size than they are now.

By Mr. Loggie:

Q. Would the lobsters in 1885 be very much larger?—A. I think so. They were larger than they are now but not very, somewhat larger.

Q. If it now takes 9.64 lobsters to make a pound of canned lobster at your Waterford factory, what number would have been required at the same factory in 1885?—A. I could not tell you. I was not operating the factory at that time.

Witness discharged.

Mr. JOHN McLEAN, M.P.P., called, sworn and examined.

By Mr. Fraser:

Q. You live at Souris, P.E.I.?—A. Yes.

Q. How long have you been in the lobster industry?—A. About 30 years.

Q. How many cans did you pack last year?—A. In our factories—we have three factories of our own, but we supplied five others—they packed 4,200 cases.

Q. You are aware that the lobster fishing used to open on the 20th April?—A. Yes for the last few years.

Q. Do you consider that was the right time for such opening?—A. Well in certain sections it is. On the north side of Prince Edward Island it does not make much difference, I mean where their season opens on the 1st May or earlier. I may say that I have the dates on which one of our factories—

Q. The dates on which you began to operate one of your factories?—A. Yes, I have those dates for 15 years. In 1894 the factory started May 1st, in 1895 and 1896 on May 11th, in 1898 on May 12th and in 1908 on the 7th May.

Q. During these 15 years the factory only opened twice in April?—A. That is all.

By Hon. Mr. Brodeur:

Q. And then at the end of April?—A. I might just tell the minister that, as doubtless he is well aware, there was a resolution passed in the Legislative Assembly with respect to the date on which the season should open. That resolution was introduced in the first instance by Mr. Agnew, who was afterwards appointed speaker, and I

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took charge of it. That resolution asked that the season should open on the 1st May and close on the 10th July. The members allowed the matter to stand over for a week until they consulted their constituents, both the packers and the fishermen, and as a compromise the resolution was made to take effect on 26th April. That was in deference to the wishes of the packers and fishermen on the southern side of the Island. On the southern side of the Island, and more especially round Murray harbour and those districts, the ice leaves the coast earlier and does not bother them in the spring; they sometimes commence fishing on the 20th April. I would prefer that you should ask me questions rather than that I should make a statement.

Q. What opening date would you recommend yourself?—A. If I was speaking personally, I would say the season should commence on the 1st May north side of the Island and 20th April on the south side, and close on the north side on the 10th July and on the south side on the 1st July.

Q. You would open on the north side on the 1st May and on the south side on the 20th April making the season the same length on both sides—A. Yes.

By Hon. Mr. Fielding:

Q. You would make the season the same length in each case?—A. Exactly. I was going on to say that on the north side of the Island we find the seasons when we open pretty late are generally the best seasons for catching lobsters. In illustration of that I might mention that in 1907 at one factory we opened on the 24th May and closed on the 10th July, and the catch amounted to 220,577 lbs. of lobsters. The year before we opened on the 1st May, that is 24 days earlier, and only caught 137,081 lbs. of lobsters. That was at the same factory and using the same number of traps.

By Mr. Fraser:

Q. Do you say that as a rule the later the season is the better the catch?—A. Yes.

Q. That has been your experience in these factories?—A. Yes. I might give my reasons for that statement. I don't know whether they are correct or not. It is the experience of the lobster fishermen on Prince Edward Island that when the ice stays on the coast the catch of lobsters is better, the ice does not come in very close to the shore, but say one-half or three-quarters of a mile away, and the herring get in between the ice and the shore in large schools and spawn. As soon as the ice leaves, the lobsters follow the herring on to the spawning ground to feed on them and on other fish that are on the bottom.

Q. Then a season when the ice moves away late is generally a better season for catching lobsters?—A. That has been our experience. I have some figures here which would take too long to read so I will hand them over to the stenographer. The first year in the table is 1894, when we opened on May 1st, and the catch amounted to 194,259 lbs. of lobsters. The catch continues in varying quantities until 1902 the first year when the season was extended. We fished that year until July 19th and the catch amounted to 102,386 lbs. Most of the lobsters we caught were taken during the period from 1902 to 1907 at that one factory with the same number of traps and the same number of fishermen.

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MEMO. OF CATCH OF LOBSTERS FROM 1894 TO 1908.

Date.	First Catch.	Last Catch.	
1894.....	May 1	July 9	194,259 lbs. shell fish.
1895.....	" 9	June 25	158,232 " " storm smashed cutty.
1896.....	" 11	" 16	86,749 " " " "
1897.....	" 13	July 15	98,440 " " " "
1898.....	" 12	" 14	96,371 " " " "
1899.....	" 15	" 14	100,720 " " " "
1900.....	" 12	" 9	85,133 " " " "
1901.....	" 11	" 3	92,924 " " " "
1902.....	April 30	" 19	102,386 " " extension time.
1903.....	" 28	" 10	145,397 " " " "
1904.....	May 6	" 10	193,340 " " " "
1905.....	" 6	" 10	198,281 " " " "
1906.....	" 1	" 10	137,081 " " stormy season.
1907.....	" 24	" 10	220,577 " " " "
1908.....	" 7	" 10	190,738 " " " "

About the same number of traps used' in catching these amounts each year.

W. McEWEN.

Souris, March 31, 1909.

Q. What is your experience of the general catch, is it increasing or decreasing?—

A. It decreased from about 1889 to 1892. At that time there were a great many factories on the island and the business got overdone; they were fishing at all seasons of the year. There was a good deal of illegal fishing after the season had closed and the regulations were not strictly enforced. Since the new regulations came into force we find that the lobster fishing on the north side of the Island where the coast is straight and you can get a practical idea of the number of traps set in a certain area of water has held its own both as regards the size and quantity of lobsters caught as the figures will show.

By Hon. Mr. Brodeur:

Q. What is the average size of the lobsters caught on the Island?—A. Well, I might say, Mr. Minister, that in 1892, when the licenses were first issued, or about the time that Sir Hibbert Tupper was going to pass a resolution calling for licenses, he sent Mr. Wilmot down to Cariboo near Pictou to find out exactly how many lobsters were being packed illegally and his experience at that time was 55 per cent. That was between berried lobsters and short sized lobsters. I don't know that the percentage has varied very much since.

Q. You think it is just about the same?—A. Yes, I should think so.

By Mr. Fraser:

Q. You think that about fifty-five per cent of the catch are undersized lobsters?

Hon. Mr. BRODEUR.—Not undersized lobsters merely.

The WITNESS.—Undersized and berried lobsters.

By Mr. Fraser:

Q. Do you think the percentage is about the same yet?—A. I think so.

By Hon. Mr. Fielding:

Q. How small are the lobsters that are taken?—A. As small as six inches, probably five inches in some localities.

By Hon. Mr. Brodeur:

Q. Would it be possible to enforce the lobster regulations to-day?—A. I do not think it would be possible to enforce the regulations and keep the industry going.

Q. Would it be possible to begin by enforcing a size limit of 7 inches and gradually bring it up to 8 inches?—A. I do not think you could get the fishermen to fish at all under those circumstances. As far as I am personally concerned I can make only one practical recommendation towards improving the fisheries to any greater extent than at the present time, and that is to shorten the season.

Q. You would recommend the shortening of the season?—A. To shorten the season would be my recommendation. You see you are not only hiring your fishermen to catch lobsters for you, but you are also employing help in the factories. At the factory I spoke of there are 14 fishermen engaged and there are 45 hands in the factory. The season is so short now that they ask you to engage them for the whole time, that is, you cannot dismiss them if you are short of lobsters, or if there is a stormy day. They feel it is not fair to them to be dismissed simply because you think you have too many hands, so they ask to be engaged for the whole season. If you want to give the lobsters any protection, my opinion is that it should be done in the way of shortening the season so as to save the lobster industry from going down.

Q. How much shorter would you say?—A. I would say that on the north cape of Prince Edward Island from East Point to North Point the season should last until July 1.

Q. From May 1 to July 1?—A. Yes. It is only a few years since April 20 was fixed as the date for opening. That date was fixed for this reason: the fishermen used to be over-lapping each other and they ran great risk in having their gear out before it was safe from the ice. Each fisherman, of course, did his best to get well located. The department saw fit to make the date of opening April 20. Then if a fisherman went out and found lines already set he was at liberty to take them in or set his own lines over them.

Q. And you think that the department could not enforce the size limit regulation even with lobsters of 7 inches?—A. I do, sir.

Q. Is the regulation in regard to berried lobsters enforced?—A. I heard Mr. Tidmarsh's evidence on that point. But if you take the north side of the Island it is pretty nearly a straight coast from East Point right down to Malpeque. There is no bay, there is no place in which you could place these berried lobsters and the fishermen would hardly take the trouble to throw these berried lobsters out of the boat when they catch them. It is very probable that if a berried lobster was taken the fisherman would either take his mitt and rub the berries off or remove them by brushing the lobster rapidly through the water rather than put it overboard. That has been done and I am doubtful if after 4 or 5 days it could be detected at the factory. I think that on the south side of the Island where there are bays and mouths of rivers the berried lobsters might be preserved. It would be a very good thing and the fishermen would be very glad to do it.

Q. What would be your suggestion, so far as Prince Edward Island is concerned, with respect to the regulations?—A. My suggestion is for the department to get statistics and if they find the lobster industry is going down, although I claim it is not declining, then these laws can be observed and you can shorten the season.

Q. That is your only suggestion?—A. That is my only suggestion which would be in the interest of the packers, the fishermen and the labourers engaged in the factories.

By Mr. McKenzie:

Q. And you would shorten the season by taking a part off the end you say?—A. I would take it off the month of July. I do not think the lobsters are so large in July. In that month the lobsters come in from the sea but later on right along the

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whole coast they come in from deep water to the shore. In the month of July the lobsters commence to get soft and the quality of the meat is not as good as it is early in the season; in fact from my experience of 30 years the market for May caught lobsters is very much better than for lobsters caught in any other month of the year.

Q. Your remedy then would be to stop fishing at an earlier date than is done now?—A. Yes, if it was found necessary.

By Hon. Mr. Fielding:

Q. Do you not think that if the department could be persuaded to abolish the size limit it would be possible to enforce the law against taking the berried lobster?—A. I think so, sir, and I think also cutting off a short time in the month of July. More berried lobsters are found in the month of July than in any other month in the year. Furthermore it is just like this: we find that scarcely any fish is protected during the open season, whether it is the male or the female. Take the salmon, the trout, or any other fish. They are protected by a close season not by discriminating between the male and female during the open season.

By Mr. Daniel:

Q. I think I saw some regulation prohibiting the catching of salmon under 4 lbs. in weight?

Mr. VENNING.—There is a limitation of 3 lbs.

By Hon. Mr. Brodeur:

Q. Do you think the licenses to can lobsters should be restricted?—A. I would like if you will allow me to explain that. Before the license system was started in Prince Edward Island there were a great many factories and the lobster market was very low and a great many persons engaged in the lobster business became bankrupt. That would be during the period of 1889 to 1892. Then the licenses were issued. It was understood that all canners that had run factories within two years should get the licenses. Factories that had gone out of existence and had not been operating within that period were not to get them. That was the understanding, and the license system has worked fine. It has done so in two or three ways. In the first place by the fact—I am speaking now of Kings county and know the facts there—that the inspector in that county allows no man but himself to handle any labels. He puts the labels on the cases himself and, therefore, if that practice is strictly adhered to it prevents illegal lobsters being packed. Where the labels are handed to the packer and he pays for a license, say for 500 cases of lobsters, and he only gets 400 cases of lobsters and has 100 labels over. Then he will go on packing out of season and putting the labels on himself. In Kings county, as I say, the inspector does not give any labels to any of the packers at all, he puts them on himself. When you call on him you tell him that you have so many cases to ship. He goes there and puts the labels on himself. That prevents a man from putting on any labels himself, if he has any left at the end of the season. Consequently, if he packs any lobsters at the end of the season he does so at very great risk. Therefore, I think the law has been strictly carried out so far as fishing out of season is concerned.

By Hon. Mr. Fielding:

Q. What would you do with regard to the restriction of licenses which is a very vexed question?—A. Well, it is just like this, Mr. Fielding: every license that you give means the putting out of so many more traps. It is a question with the department whether Prince Edward Island has factories enough or not. I would prefer myself that it should be thrown open to every fisherman, or that no license should be issued either to one or the other. If thrown open to all fishermen the difficulty would

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very soon cure itself. There would be so many small factories started that the quality of the lobsters canned would go down rapidly. In every place there would be lobsters packed in small factories that would not be up to the standard and could not be sold in the market on the other side.

Q. Would that not be governed by the adoption of a regulation prescribing the character of the factories as suggested by Mr. Tidmarsh?—A. Certainly. If the factories were put up in a first-class manner there ought to be no hesitation in giving them a license. Those factories should be required to come up to a certain standard. When the factories started first a great many lobsters were handled in small factories that were allowed to get very filthy through not being thoroughly washed. In properly equipped factories there is a class of tables on which the lobsters are placed when they are being packed that can be thoroughly washed and kept quite clean, or the tables are covered with zinc so that when the lobsters come off and those tables are washed they are perfectly clean. In these small lobster factories the lobsters, from economical motives, are placed on wooden boards, and these boards get very sour.

By Hon. Mr. Brodeur:

Q. And does the lobster meat contract the odour?—A. If the meat gets the least odour it will become blown in the cans, it will ferment in the cans.

By Hon. Mr. Fielding:

Q. But suppose a standard factory should be required, not too expensive, of course, not too large, but sufficiently well equipped to permit of its being operated at a profit?—A. It would not depend upon the size of the factory, it would depend upon the output of the factory. And the lobsters should be handled in such a way that the product would be fit for the market.

Q. But if there could be some regulation as to the character of the factories that would work in the interest of the canners, would there be any harm in allowing the issue of licenses under it?—A. It would arouse jealousy between the fishermen if one man could get a license and another man could not. Any man should be allowed to open a factory of a certain size.

By Hon. Mr. Brodeur:

Q. Or a certain number of fishermen should be allowed to do so?—A. If they put up a factory of a certain size.

By Hon. Mr. Fielding:

Q. If they complied with the regulation as to the character and output of the factory?—A. From my experience of 30 years I would say that a factory that does not put up 400 cases cannot make any money. In view of the number of people they have to employ in a factory and what they have to pay in the way of salaries there is not so much money in it, no matter what the price of lobsters is, unless they pack up to 400 cases. Of course, in the case of the smaller factories their expenses are not so large in proportion.

By Mr. Fraser:

Q. Do you think there could be anything done with the live lobster trade?—A. Not with the present facilities for shipping, I do not think so.

By Hon. Mr. Fielding:

Q. Mr. Tidmarsh suggested that the island lobster has such a peculiar quality that it cannot live to be transported to Boston. Is that your judgment too?—A. No, Mr. Fielding. I think we have just as large lobsters around Prince Edward Island as

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there are around Nova Scotia. I mean the lobsters in deep water, not those that come in around the shore. The lobsters taken in deep water are larger than those that are taken in warm water on the shore and canned by the factories. You will understand that the ring that is in the head of the traps is only $4\frac{1}{2}$ inches across, and it does not allow large lobsters to enter. But sometimes the fishermen get lobsters that are 8 and 9 pounds in weight and, of course, those lobsters would stand shipment to anywhere.

Q. You think it is only a question of transportation?—A. I think it is.

Q. You know that as the live lobster business has progressed east from the State of Maine to Nova Scotia and replaced the canning industry, it will move to Prince Edward Island and probably have the same effect?—A. You can understand that they have in Nova Scotia a different season altogether. The water is cold in the winter time, and that is the time they ship. They ship a great many of their live lobsters that are taken out of cold water in the winter time, and only the larger lobsters. These lobsters can stand transshipment better than lobsters which are shipped in July. Our season only extends from May 1 to July 10. Our experience would be that we would have to ship live lobsters taken in warm water, because we are not allowed to catch lobsters after July 10. I do not know what the experience would be if we were allowed to catch lobsters in October and ship them.

By Mr. Fraser:

Q. If our people on the island were allowed to catch lobsters in October and had good fishing facilities, could the live lobster trade be worked up?—A. Yes, but in saying that I am only giving you my opinion.

Q. They have had no experience there in that way?—A. No experience.

By Hon. Mr. Fielding:

Q. Wherever the live lobster trade has opened up it has made it more difficult to carry on the canning industry, and might also drive it out?—A. It would make it more difficult for the department to do justice as between the live lobster trade and the canning industry.

Q. Excepting this: there will always be a demand for canned lobsters and the market must pay a higher price, because the world wants that product?—A. Yes.

Witness discharged.

Mr. MEDDIE GALLANT, Bloomfield, P. E. I., called, sworn and examined.

By the Chairman:

Q. I believe you have been in the lobster fishery business in the western end of Prince Edward Island in Prince county, P.E.I., for a number of years?—A. Yes, I have been fishing for about 16 years.

Q. Are the lobsters increasing or decreasing?—A. Do you mean of late years?

Q. Yes?—A. Well, this last three years the lobsters have held about the same, fairly good.

By Hon. Mr. Brodeur:

Q. The catch is about the same?—A. Yes, the catch has been about the same these last three years.

Q. What about the size of the lobsters caught?—A. The size I would say is about the same, there is not very much difference.

Q. Not much difference?—A. No.

Q. If there is any difference it would be that the lobsters caught now are of a smaller size?—A. A smaller size.

By the Chairman:

Q. What do you think as to the size limit? Do you think the size limit should be kept at 8 inches? I think it is 8 inches now?—A. It is a pretty hard matter to arrive at. The season is short, only two months, and the size limit is 8 inches. If that were strictly observed you might as well close all the factories.

Q. In other words you think that size limit cannot be enforced?—A. I think it cannot be enforced.

Q. Could the size limit be reduced to 7 inches and then gradually increased?—A. There might be a little in that.

Q. What is your opinion as to the preservation of the berried or spawn lobsters?—A. My idea about it is that there is only one way that it can ever be arrived at.

Q. What is that?—A. It is to buy the berried lobsters from the fishermen, pay them so much for them. I would say that about 3 per cent of the lobsters there are berried lobsters. There are about 3,000 boats around Prince Edward Island and the average catch of lobsters would be about 10,000 to a boat. At 3 per cent it would only make a sum of about \$18,000 for these 3,000 boats. Ten thousand to a boat would be a very big average. That is the only way you can do it. Because you put the fisherman out on the lobster grounds and he fishes there and he catches berried lobsters. If you take two lobsters of the same size, one with berries and the other without, the berried lobster will weigh about a pound and a half more than the other. So you see the fishermen are very keen to get all there is in it.

Q. And you think the best way would be to buy up all the berried lobsters?—A. Buy them up, that is the only way.

Q. What would you do after you had bought them?—A. I would let them go again.

By Hon. Mr. Brodeur:

Q. Then they could be caught again and you would have to buy them at the same price?—A. Yes.

By the Chairman:

Q. That system would be all right if you had a pound to keep them in?—A. Yes.

Q. What do you think about the number of licenses? Do you think it would be well to restrict the number or to allow any one who was able to pack to have a license?—A. My opinion on that is that every one who wished to go into the packing of lobsters should be given a license. I know that to-day if I could get a license I would go into the business. It is a good paying business now, but was not when lobsters were \$4 or \$5 a case.

By Hon. Mr. Brodeur:

Q. What about the co-operative plan, that is a certain number of fishermen banding themselves together and obtaining a license?—A. That would be a good system.

By the Chairman:

Q. The same system that is worked in the case of cheese factories?—A. Yes.

By Hon. Mr. Brodeur:

Q. That would be a good system?—A. That would be a good system. One man may not be strong enough to go into it, but with a number of them it would be all right.

Q. Under that system they share between them the profits and the losses?—A. Each would share.

By the Chairman:

Q. What is your opinion as to the length of the season?—A. As to the length of the season, I would say begin about April 20.

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By Hon. Mr. Brodeur:

Q. April 28?—A. April 20, I would say. Early in April, when the ice melts away we always get our best pack. But I would not extend the season any further than July 1.

By the Chairman:

Q. You would cut off a part at the end of the season?—A. For this reason: The fishermen at first have their traps in deep water, and as soon as the catch of lobsters begins to slacken off they move their traps into about a fathom and a half of water and catch these small lobsters.

Q. They move their traps in?—A. They move their traps into the rivers where these small lobsters of only 3 or 4 inches go and catch them in their traps. Some of the lobsters that are handled are only $3\frac{1}{2}$ inches in size.

Q. Do they fish for lobsters on the inside of the bays?—A. Not in all, but in a good many of them.

Q. How far do they go up in Cascumpee bay?—A. They go right up around Fox Point and right along the Narrows.

Q. They go up the Narrows, do they?—A. Yes.

Q. How are the regulations enforced up there, is the size limit observed at all?—A. No, not in these late years at all.

By Hon. Mr. Brodeur:

Q. I understand it cannot be enforced in the case of a large number of factories?—A. It could not be very well enforced, I mean you could not observe the law as to the size limit of lobsters.

Q. What is your suggestion as to what should be done?—A. In order to what?

Q. In order to maintain the lobster industry?—A. Well, my idea is this: We have a great many fishery officers around the island and they are not paid very much. They are getting from \$30 to \$34 a year, and it is possible will not look closely after the fishing. It would be better, in my opinion, to have only a few officers and give them a living salary.

Q. It is all very well to have good officers and pay them well, but are the existing regulations in regard to lobsters enforced? If not, what changes should be made according to your view? Should we enforce the existing regulations, and if not, what changes should be made in them?—A. Well, as I said before, if we go to work and enforce the regulations up to the present size limit most of the factories will be closed down.

Q. You are not in favour of that?—A. No, I am not in favour of that.

Q. Then what would you suggest?—A. What I would suggest is that we should shorten the season to July 1.

Q. From May 1 to July 1?—A. No, from April 20.

Q. From April 20 to July 1?—A. Yes.

Q. And have no enforcement of the size limit?—A. No.

Q. And no enforcement of the berried lobster regulation?—A. You must do something. That is a pressing matter about the berried lobsters. If there is one thing that has got to be looked after it is the berried lobster.

Q. Suppose we shorten the season and make it from April 20 to July 1, and enforce the regulation with regard to berried lobsters, that would be satisfactory you think to the fishermen, and desirable as far as the industry is concerned?—A. I would say so. I would enforce the law respecting berried lobsters and allow them to fish—

Q. Any size they want?—A. Any size they want from that time.

By Mr. Loggie:

Q. Is not all the ground, that is fishing ground where you could put traps, pretty well occupied at the present time?—A. Oh, yes.

Q. There is hardly a place where it would pay to fish traps but there are traps to be found?—A. They are mostly everywhere, but not as many as there have been.

Q. There are more traps according to the accounts we have had than there used to be?—A. Not in my locality. I know one place where six factories that used to operate are not operating now but only the one.

Q. Is the ground covered as well?—A. There is not more space, but they put out more lines.

Q. Is there enough ground in the district you speak of to support two or three more factories?—A. I would not say two or three. On the particular ground that I am talking about three factories could be very well run.

Q. The man that is operating the one factory must be getting very wealthy on it?—A. He has these two or three years done very well.

Q. Other than these two or three years the factories have not done very much on that same ground?—A. No.

Q. Why did the other factories close up?—A. When they started there they used to get an immense quantity of lobsters, but the price of lobsters was very low.

Q. What was the reason for closing the other factories you spoke of?—A. The lobsters got very scarce and small.

Q. Why did the factories close up?—A. Because the industry was not paying.

Q. And, of course, if you establish more factories it would be all the harder on the factory that already operates there to make it pay?—A. It would pay very well, the price of lobsters is better.

Witness discharged.

Committee adjourned.

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COMMITTEE ROOM No. 32,

HOUSE OF COMMONS,

THURSDAY, April 15, 1909.

The Select Standing Committee on Marine and Fisheries met at 11 o'clock, a.m., Mr. Sinclair, Chairman, presiding.

Mr. THOMAS CANTY, of Bathurst, New Brunswick, called, sworn and examined.

By Mr. Turgeon, (Gloucester, N.B.):

Q. You have been living in Bathurst for many years?—A. Yes, sir, for many years—thirty years or more.

Q. You are an officer of the Department of Fisheries?—A. Yes, sir.

Q. What is your title?—A. Overseer of fisheries.

Q. In the County of Gloucester?—A. Yes, sir.

Q. What is the extent of your district?—A. The extent of my district is about 42 miles.

Q. Along the sea coast?—A. Yes, sir, along the coast of the Baie Chaleur.

Q. How many years have you been a fishery overseer?—A. Since 1897 or 1898, 1897 I believe.

Q. That district is considered an officered fishing district?—A. Yes, sir.

Q. How many licenses have you in that district or about?—A. There are six or seven licenses—seven or thereabouts.

Q. As overseer of fisheries have you endeavoured to carry out the regulations of the department?—A. Yes, sir, I did all I could with the little help I had.

By the Chairman:

Q. Did you succeed?—A. Not to say entirely—that is the trouble.

By Mr. Turgeon:

Q. You found it pretty difficult sometimes?—A. Yes, sir, pretty hard.

Q. Have you made every possible endeavour to carry out the regulations?—A. Yes, sir.

Q. And you say it was pretty hard?—A. Yes, sir; it required more assistance.

Q. You say it required more assistance?—A. Certainly.

Q. What assistance had you?—A. Only one officer down there for the lobsters. Of course I have two or three others, but they are for the salmon.

Q. And you think with further assistance you could possibly enforce the regulations?—A. Certainly, no doubt.

Q. Do you consider the enforcement of those regulations a necessity for the preservation of the lobster industry?—A. Yes, sir.

Q. You think by allowing the fishermen to catch, or the canneries to can, small lobsters is very injurious to the industry?—A. Of course it is.

Q. The size limit of your district is eight inches I understand?—A. Yes, sir.

Q. Do you consider that an eight-inch lobster produces a great deal of eggs?—A. No, an eight-inch lobster is not very productive in spawn.

Q. It does not produce much?—A. No, sir.

Q. Does a seven-inch lobster produce any at all?—A. I do not think it—very little if they do; nothing worth while.

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Q. What is the size at which a lobster commences to produce to the best advantage?—A. From nine or nine and a half inches up.

Q. According to your experience the size limit should be nine inches?—A. By rights it should.

Q. Would it be practical to enforce that size limit?—A. Not exactly.

Q. Do you find the nine-inch lobsters getting scarce?—A. Yes, sir, they are getting scarce.

Q. Do you think you could enforce the eight-inch limit strictly without closing the different canneries?—A. Certainly, but it might affect the canners a little the first year.

Q. But not the second or third year?—A. They would gain by it in time no doubt.

Q. You think that the operators would soon be repaid for the loss they might make in one year?—A. Yes, sir.

Q. Your duty does not bring you to the coast of Shippigan Island?—A. No, sir, I don't go any further than Caraquet Bridge.

Q. You often meet the other officers around there?—A. Very often.

Q. You have conversations with them on this question?—A. Yes, sir.

Q. They find that they should have more help also, I suppose?—A. Yes, sir.

Q. For how long would you require further assistance?—A. For the time being, for about a month or a month and a half.

Q. What is the season in your district?—A. From the 19th of April to the 10th of July.

Q. Do you consider this season to be good all the time?—A. Well, around the first part of April they cannot fish because the coast is generally full of ice, and that is time lost, but as soon as the ice is away of course they can fish easy enough.

Q. Do you consider the fish is any good for all of that season until the 10th of July?—A. No, sir, because there is a time when the lobsters come ashore and they generally can those soft shell lobsters.

Q. You consider they are not in a healthy condition then?—A. No, sir, far from it.

By the Chairman:

Q. Do you think the season too long?—A. Well no, but if it was shortened on one end and lengthened on the other it would be better, because in April they cannot fish.

Q. Did you say that in July the lobsters are soft?—A. Yes.

Q. And they should not fish?—A. They should not fish—they should knock off fishing for a while, and then begin in August.

Q. I see, you want two fishing seasons?—A. Yes, sir.

By Mr. Turgeon:

Q. After what date in June do the fish get into an unhealthy condition?—A. I should say to commence again about the beginning of August.

Q. But I am asking you at what time they commence to get in a bad condition?—A. About the middle of June—as soon as the water gets warm.

Q. When the water gets warm?—A. Yes. That all depends—sometimes the water does not get warm as early as other times.

Q. And you consider that for a month or more the fishing is not in a good condition, generally speaking?—A. Yes, sir.

Q. Therefore, according to your judgment would the fishing during these few weeks in June and July be against the interests of the lobster industry?—A. Yes, sir. It would be injurious to the fishermen and also to the merchants because they would not get as good fish. Lobsters caught when in small shell are soft and no good.

By the Chairman:

Q. What open season would you advise?—A. I would advise stopping from the middle of June up to August, and then let them go from August for a month or so.

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Q. You would give them August?—A. Yes, sir.

Q. Would it not be better later than that?—A. No.

Q. Why?—A. On account of rough weather. We generally have rough weather in August or the beginning of September.

By Mr. Turgeon:

Q. Do you think after the 1st of August the lobster is in better condition again?—A. Yes.

By Mr. Kyte:

Q. You would fish up to the 1st of July and leave out July and begin in August again?—A. Yes, sir.

By Mr. Turgeon:

Q. You would leave a week or two in June according to your experience, also?—A. No, I would not leave any in June.

By the Chairman:

Q. That is a pretty short close season, one month?—A. Well, after the lobsters leave the shore and return to deep water it is pretty good.

Q. What proportion of undersized lobsters are caught in your district now?—A. They catch all they can.

Q. Give an estimate of the number?—A. They catch from six inches up.

Q. They catch lobsters as short as six inches?—A. Yes, sir.

Q. And a large number—a large proportion?—A. I would say I suppose one-third.

Q. One-third under eight inches?—A. Yes, sir.

Q. Do you measure them?—A. Very often we do when we find them, but you see it is such a long distance that you can hardly get at the canneries in time and besides they get in the habit of boiling or cracking outside the factory.

Q. Whereabouts?—A. Around the shore.

Q. Around the shore, you say?—A. Yes, and then after they are cracked you cannot tell whether the lobster is undersized or not.

Q. Is that a legal practice?—A. Yes, sir.

Q. You can catch the lobster and crack him in the boat?—A. Not in the boat, but around the shore.

Q. Anywhere on the shore?—A. Yes, sir.

Q. And take the meat?—A. Yes, sir, and take the meat to the factory.

Q. But it has to be boiled?—A. Certainly.

Q. And they must have a boiler?—A. Yes they have a boiler on the shore.

Q. How can they do that on the shore?—A. Very easily; they make a fireplace and boil them.

Q. It is away from the packing place altogether?—A. Yes, sir.

Q. How many boilers has a factory generally?—A. Two in the factory.

Q. And outside?—A. I do not know.

Q. A large number?—A. Yes. I suppose there are about 12 or 14 fishermen who boil, or more.

Q. You think this practice is carried on for the purpose of evading the law?—A. No, it is in their own interest because it is handier to boil the lobsters and carry the meat to the cannery—it is less trouble and easier work.

By Mr. Turgeon:

Q. I suppose that was carried out by fishermen living far away from the canneries?—A. Yes, by those fishermen living four or five miles from the canneries, and they use the shells for manure—that is another advantage for the farmers

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By the Chairman:

Q. How many of those six-inch lobsters will fill a can?—A. It would take eight or ten.

Q. Bearing in mind the character of the fishing of late years in your district how many lobsters would it require to a can, as a rule?—A. On an average it would take about eight.

Q. Such as they fish now?—A. Yes, on an average.

Q. That is mixed, taking them as they come?—A. Yes, sir. That is what the fishermen generally tell me.

Q. If they only have seven-inch lobsters how many would it take?—A. It would take less than the six inch ones.

Q. How many lobsters of seven inches?—A. It would take about five or six lobsters to fill up a can.

Q. You can fill a can with five or six lobsters of seven inches?—A. Yes, sir.

By the Chairman:

Q. And how many legal eight-inch lobsters does it take to fill a can?—A. One or two more.

Q. One or two less, you mean?—A. Yes, sir, I mean one or two less.

Q. How many fines have you imposed in your district last year?—A. I did not impose any.

Q. Have you given up fining them altogether?—A. No. When I get them, but it is not very easy. I have many places to see, and I have the salmon to look after, and the river, and with one guardian for lobster purposes it is not enough.

By Mr. Turgeon:

Q. What effect would it have if we were to allow the canneries to can six and seven-inch lobsters?—A. It would be a failure before long.

By the Chairman:

Q. Is there a decrease in your district in your time of the catch?—A. Yes, sir, a decrease.

By Mr. Turgeon:

Q. The large ones have decreased?—A. Yes, sir.

By the Chairman:

Q. Can you give the figures of the decrease in your district?—A. Not exactly.

Q. You have been ten years overseer?—A. I have been fishing lobsters some years ago with 100 traps and I would get about 1,000 lobsters a day, and now it would take I suppose 1,000 traps to catch 1,000 lobsters per day.

Q. You mean that there is not more than an average of one lobsters in a trap a day?—A. Yes, sir. There are a good many traps that have no lobsters at all, and another day may have half a dozen.

By Mr. Kyte:

Q. How many factories are there now in your district?—A. Six or seven.

Q. Have you any knowledge of the number of cases packed in each factory for the last ten years?—A. They generally pack from two to four hundred—generally about 300.

Q. 300 cases?—A. Yes, sir. Of course there are small factories. Last year there was a factory that only packed 48 cases, and some packed 100 and some 75.

Q. Do you know the number by which the factories have increased in your district during the ten years?—A. No, sir.

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Q. Is it the same number as now?—A. No, sir, there are two less now.

Q. And you say the aggregate number of cases packed by all the factories is less now than it was ten years ago?—A. Yes, sir.

Q. What do you say as to the number of traps used, are there more engaged in lobsters or fewer?—A. More.

Q. More now than ten years ago?—A. Yes, sir.

Q. And of course a greater number of traps?—A. Yes, sir, a greater number of traps, and of course they have to occupy more ground.

Q. I was not in when you began to give your evidence, but I suppose you stated already or did you, when they began fishing in your district?—A. As soon as the ice goes away; the time is from the 19th of April to the 10th of July, but they never fish in April, or very seldom; in fact I do not remember that they ever did.

Q. The catch of lobsters is greater in the earlier part of the season than it is coming on July?—A. Yes, sir.

By Mr. Turgeon:

Q. What do the fishermen do with berried lobsters?—A. They crack them. They do not throw them away; they crack them and boil them. You see they have the habit of cleaning those lobsters outside.

Q. You do not see them with the berries on, they clean them off?—A. Yes, sir, they are cleaned off.

By Mr. McKenzie:

Q. How often do you visit the factories?—A. Generally two or three times a month.

Q. You have a guardian?—A. Yes, constantly on the ground.

Q. At each factory?—A. Yes, sir.

Q. You do not mean to say you have an official under you who attends each factory every day?—A. No.

Q. How many guardians?—A. Only one—that is for the lobster purposes.

Q. How often does he visit the factories?—A. Three times a week.

By Mr. Turgeon:

Q. Why don't you have him every day?—A. Sometimes I do tell him, but I suppose his business calls him elsewhere—he is a farmer.

Q. Do you pay him for every day?—A. Well, the inspector generally tells me to cut down the expenses.

By Mr. Kyte:

Q. Do you really believe that the inspector would find very much fault with you if you caused your guardian to go a little oftener to the factories?—A. I suppose he would have to consent to it, but still he would kind of blame me.

Q. How do you say the assistant is paid?—A. So much a day.

By Mr. Chisholm:

Q. How many factories are there under your supervision?—A. Seven.

Q. How far are they apart?—A. The first one west is about 15 miles.

Q. Fifteen miles from the second?—A. Yes, and the second to the third five or six miles, and from the third to the fourth the same distance.

Q. And from the fourth to the fifth?—A. From the fourth to the fifth is about eight miles.

Q. And to the sixth and the seventh?—A. About three or four miles.

By Mr. Kyte:

Q. Have any been fined for boiling small lobsters?—A. No, but I always tell them that if I catch them I will fine them.

By the Chairman:

Q. They pay no attention then?—A. Well, they do—very often they boil at night though.

By Mr. Kyte:

Q. Do they think you are trying to catch them?—A. Oh, yes, and I would have them fined if I caught them.

Q. As a matter of fact would not the packers prefer not to buy those small lobsters?—A. That is what they say, but of course the more meat they get the better for them.

Q. But the smaller ones are less profitable?—A. Yes, but it is no more trouble for them—they are there by the day——

By Mr. Turgeon:

Q. Do you think in your district any way, the canneries do all the boiling of the lobsters or do the fishermen boil any of them?—A. Well, the men boil them, too.

Q. How do they employ these men?—A. By the day I believe. I believe the older firms are by the season.

Q. And the fishermen?—A. They are for the season, too, that is for the lobster season.

Q. On wages?—A. Yes, sir.

By the Chairman:

Q. How much?—A. I could not say. Some \$30 a month according to the capability of the men.

By Mr. Kyte:

Q. So it is the operators who buy the small ones—if they did not buy them the men would not catch them?—A. Certainly not.

Q. It would not make any difference to the fishermen how many fines you imposed?—A. Not at all.

By Mr. Chisholm:

Q. The statement has been made that 20 pounds of small ones would have as much meat as 20 pounds of large lobsters?—A. I do not believe it, sir. It is hard to believe because a small lobster, say a six or seven-inch lobster, there is very little meat in it, and you will take a nine or ten-inch lobster and it is as much as a man can eat, while you can eat a couple or three small lobsters.

Q. Perhaps the couple would not be any heavier than the large one?—A. Well, that it is.

By Mr. Kyte:

Q. The statement was made here by some expert, that in the same weight of small ones and large ones you would get more meat out of the same weight of small lobsters. Following up that principle what would be gained by the packer in taking the small ones? I suppose the reason he takes them, is because he is getting the same amount of meat out of that quantity or weight, or more; and as a matter of fact by observation I notice that the packer when he hires his men and girls in the factory cannot employ them all the day, he has not always enough lobsters—although sometimes he will get a better catch; he will get those people at 50 cents a day packing lobsters, and the

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catch might be more or less, but it would not interfere with the wage—that is the way they do in our district, if only two hours of work the hands get 50 cents and if ten hours they earn the same?—A. That is the way on the coast.

Q. With those conditions I do not see any reason for their not accepting the small ones?—A. Yes, but if those packers took the six-inch lobster how long would the fishing last.

Q. That is another question—that is what we are all trying to figure out.

By Mr. Turgeon:

Q. You think in your district you should look to the canner and not the fisherman to enforce the regulations?—A. Yes, sir.

By Mr. Kyte:

Q. Talking about the meat of small and large lobsters, how does the quality compare?—A. The quality of large lobsters is far better eating and better meat.

By Mr. Turgeon:

Q. You think that a can of lobsters filled with six or seven-inch ones cannot be as nice looking or as savoury or palatable as a can filled with nine or ten-inch lobsters?—A. No, there is a difference in it.

By Mr. McKenzie:

Q. Then there is not only the destruction to the lobster in packing the small ones but also the inferiority of quality you get?—A. Yes, sir.

By Mr. Turgeon:

Q. You think that in all fairness the department should be imperative in limiting the size?—A. Yes, sir.

Q. What further protection could you have to enforce a size limit?—A. I think with another man with me I could do it—of course two would be better.

Q. And go on every day?—A. Yes, sir.

By the Chairman:

Q. What has been puzzling me is that you go two or three times a week, and you say there are one-third of the lobsters taken under size, yet you haven't caught any-body during this season?—A. Yes, that is so.

Q. What is the matter?—A. You can tell by the meat that they are small lobsters, but you cannot tell the size exactly.

Q. Cannot you go to the place where they boil them and see them?—A. Some places it is hard to go with a horse and you would have to travel many miles, and you may happen to go there and they are outside fishing.

By Mr. Turgeon:

Q. If you were to enforce the law strictly speaking would it close the cannery?—A. No, sir, the canneries would not close, but they would not pack so many, but still by closing the small lobster catch they will increase in traps and in fishing ground, and of course they would go along about the same.

Q. And you think they would bring the same number of lobsters?—A. Yes, sir.

By Mr. Kyte:

Q. Are the fishermen permitted to boil their lobsters in coves and bring them to the factories?—A. Yes, sir.

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Q. Is there any legal authority for that?—A. Yes, sir, that regulation was in existence before my term there.

Q. Regulations promoted by whom—it is just permitted by the officers?—A. Oh, no.

Q. By the department?—A. The department does not mention it except that they are not allowed to boil on board a boat but it does not mention about the shore.

Q. You are issuing licenses to factories?—A. Yes, but it does not mention that they have to boil the lobsters there or somewhere else.

By Mr. Turgeon:

Q. It appears to me that that is evading the law entirely. If the law existing now states that it was only in the canneries the lobsters could be boiled, that is evading the law?—A. That would be a great inconvenience for the fishermen.

By Mr. Kyte:

Q. I suppose they are advised that boiling is not packing?—A. Exactly, it is not packing.

Q. And you can boil lobsters without a license?—A. Yes, whenever you like. The law says you cannot boil on board a boat or vessel without a license, without a permit from the department, but it is not mentioned whether on the shore or not or what place on the shore.

Q. Does not the license state where the lobster factory is?—A. Yes, sir, it gives the location.

By the Chairman:

Mr. Howe will you kindly read the regulations?

The Clerk (reads):

‘No one shall for canning purposes, offer for sale, barter, supply or purchase any fragments of lobsters, purposely mutilated or broken up, or any broken lobster meat, and all fragments of lobsters, lobsters purposely mutilated or broken up or broken lobster meat, or offered for sale, so bartered, supplied or purchased shall be liable to seizure and confiscation, unless possessed for the purpose of domestic consumption only, and not for canning, the proof whereof shall devolve on the owner or possessor; nor for canning purposes shall any lobster or lobsters be boiled or partially prepared elsewhere than in the cannery licensed for that purpose.’

By Mr. Kyte:

Q. All this is a gross violation of the law then?—A. Remember, that these fishermen fish under the name of the packers.

By Mr. Turgeon:

Q. It is the packers who hire them to fish?—A. Yes, sir.

By the Chairman:

Q. Why do you not fine the cannery for not preparing the lobsters in the cannery?—A. So he does.

Q. He does not—it shows here, ‘nor for canning purposes can any lobster or lobsters be boiled or partially prepared elsewhere than in the cannery licensed for that purpose—’, The cannery is not the shore?—A. Yes, it has been carried on that way ever since I’ve been there.

By Mr. Turgeon:

Q. You have been interpreting it that way?—A. Yes, sir.

Q. Do you consider that the fishing of seed lobsters should be allowed to be carried on at all?—A. No, sir.

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By Mr. Kyte:

Q. Is there any live lobster trade in your district?—A. No, sir.

Q. No live lobsters shipped to Montreal, St. John or the United States?—A. No, sir, they are all boiled lobsters.

Q. Is there ever any demand to ship live lobsters from your district?—A. Not that I am aware of.

By Mr. McKenzie:

Q. Are you familiar with the conditions under which they trade in live lobsters, that is what has been done to carry on the trade of selling live lobsters?—A. I think it would be a very profitable business.

Q. Is there any reason why it could not be carried on in your district as well as in other places of the province?—A. None, except they have not got the large lobsters that they have in some other places.

Q. There is a size limit operating against you in Boston?—A. Yes, sir, I believe so.

Q. It is only a lobster of a certain size that can be sold in Boston?—A. Yes, sir.

Q. There is no such regulations in Montreal or any Canadian city?—No, sir.

Q. So the size limit within our own regulations could be sold in the Canadian cities?—A. Yes, sir, but I suppose under our size limit the small lobster would not bring such a good price as the big one.

Q. It is said that the shipping of live lobsters is more profitable to the fishermen than the canning business?—A. I think so, because it is less expensive.

Q. Then it would be in the interest of the fishermen to encourage the live lobster trade?—A. Yes, sir.

Q. Do you think it would be a good thing if the department would look after those lobsters?—A. Yes, it would be a great help to the lobster business.

Q. You say your district extends how many miles?—A. Forty-five miles.

Q. And only seven canneries?—A. Yes, sir.

Q. A long distance from each other?—A. Yes.

Q. The department could grant more licenses in that district without injury to those there now?—A. Certainly, there is plenty of room.

By the Chairman:

Q. Would it mean the destruction of more lobsters?—A. Certainly it would increase the number of fishermen.

Q. And result in the taking of more lobsters?—A. Certainly.

By Mr. Kyte:

Q. Is that very extensively fished? Although the canneries are stopped part of the time as you say—is the whole territory fished?—A. Yes, sir.

Q. Those men set their traps all along that coast and carry their fish to the canneries?—A. Yes, sir.

Q. With more canneries I suppose you mean that it would be more thoroughly fished than now?—A. Yes, sir.

By Mr. Turgeon:

Q. Should the traps be set at low water or deep water?—A. It makes no difference as long as the water is deep enough.

Q. But you think there should be some regulation preventing the fishermen setting their traps in water under a certain depth?—A. I think so.

Q. You think that near the shore, where there is only a couple of fathoms of water, they should not be allowed to set their traps?—A. According to my knowledge two fathoms of water is rather shallow.

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By Mr. Kyte:

Q. Have you noticed whether the berried lobster is found in shore or outside, or it is just as liable to be found in deep as in shallow water?—A. I believe it is more liable to be found in shallow water.

Q. So that to prevent fishing in shallow water would be some protection to the berried lobster?—Certainly.

Q. Is that not a reason why the fisherman should not be allowed to set traps within a certain distance of the shore?—A. Certainly, that would protect the seed lobster.

Q. You say that when carrying berries or seed in that way the female lobsters spawn near the shore?—A. Yes, sir, they come to the shoal waters to spawn, where the water is warm.

Q. And to protect a certain area around the shore would be a protection to the seed lobster for spawning purposes?—A. Yes, sir, that is my belief.

Q. You think that is a sound theory?—A. Yes, sir.

Q. And you think it could be carried out?—A. Yes, I believe it could without trouble.

Q. That is if you catch them as you said before—you could see them in this case?—A. Yes.

By Mr. McKenzie:

Q. You said before that the fishermen knocked the berries off the lobsters—how do they do that?—A. Very easily, with just a couple of strokes with the hand they come off or knock them on the gunwale of the boat.

Q. Could you tell afterwards that that lobster had been carrying berries?—A. I could not. I suppose an experienced man that has been practising could, but I think it is very hard to detect.

By the Chairman:

Q. Have you anything to recommend to us from your experience, any changes to recommend?—A. The only one is not to crack lobsters where they boil them.

Q. That is prohibited already?—A. Yes, sir.

Q. Then the thing is to see that the regulation is enforced?—A. Yes, sir, that is it—otherwise I do not see that it is any benefit.

By Mr. Turgeon:

Q. What effect would it have on the operators if the size limit is put in force to-day?—A. As I said they would have to put out more traps, use more ground and have more expense certainly—more men.

Q. Do you think they could not carry on their business?—A. Oh I don't think that.

Q. Do you think they could?—A. Oh, yes, just the same.

Q. With the same number of traps?—A. No, not with the same number—

Q. They would have to increase the number of traps?—A. Yes, sir.

By Mr. Kyte:

Q. In view of what you said a moment ago with respect to the better quality of meat in the larger lobster as compared with the meat of the smaller lobster, do not you think that the canner could make up to some extent in price what he would lose in quantity if he would confine himself to the higher grade of lobsters in his packing?—A. I believe he would.

Q. He would have a better article and could command a higher price?—A. Yes, sir.

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By Mr. Turgeon:

Q. So you think what he would lose by the enforcement of the regulation he would make it up by the quality of the canning?—A. Yes, sir, because I heard lately that some parties bought lobsters from a factory, I would not say which—and that the lobsters were no good at all—they were black and could not be eaten and had to be thrown away. Very likely those lobsters were seed lobsters boiled when soft or else came from boilers in which there had been meat which was sour and the packer did not know it.

Q. I do not know whether you are posted enough in fish culture to answer this. Is it considered dangerous to eat salmon or trout when they are spawning?—A. Yes, sir, it is.

Q. Now, do you think that would apply to the lobster during the spawning season and on spawning ground—is the meat of the lobster effected by the fact that the female is in spawn or preparing to spawn?—A. Certainly, that meat is not eatable.

Q. And it should not be canned or packed?—A. It should not be packed or canned.

By Mr. Turgeon:

Q. How do you judge the difference, is it by the meat?—A. Certainly, or just the touch of the meat. When the meat is soft and like glue, when shelled it is bad.

By the Chairman:

Q. At what date does it begin to show that softness?—A. About the middle of June I should say, and the warmer the water gets the softer the fish gets.

Q. In some seasons the water is warmer later on?—A. Yes.

By Mr. Kyte:

Q. And for the safety of the people and the preservation of health there should be regulations preventing the packing of lobsters that are spawning or preparing to spawn?—A. Certainly. Yes, sir; because the packer will tell you himself the lobster is not good.

Q. But still they boil these lobsters?—A. Yes. You know it is in the trade and it goes to the market.

By Mr. McKenzie:

Q. We did not have the advantage of having very many fishermen before this committee—from the standpoint of the fisherman, is there anything that you would suggest to this committee that would better the conditions of the lobster fisherman in the prosecution of his calling or trade?—A. No, sir, I haven't anything particular, only as I said I think what I have suggested would be sufficient as far as my knowledge goes.

Q. I was not here at the commencement of your examination—did you say the length of the season was satisfactory—that is the time of opening and closing?—A. The opening is rather early in the spring—you see on the 19th of April there is no fishing.

Q. You say you open too early is that it?—A. Yes, sir.

Q. By opening later and closing about the middle of June to about the first of August and then continuing again all that month it would be better?—A. Yes, sir.

Witness discharged.

Mr. ONÉSIPHORE TURGEON, M.P., Gloucester, N.B., called, sworn and examined:

About the introduction of the live lobster trade I might state that in Mr. Canty's district it has not been introduced at all yet, owing to the lack of railway facilities. The fishermen there have to send their fish first by the Caraquet railway, some 10 to 40 miles, which connects with the Intercolonial and this takes an extra day or more

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for that distance. But recently in Mr. Doucet's district, another overseer in the district of Petit Rocher, they have better facilities, the railway station being only half a mile from the shore, and a few men who made some shipments last year and the year before to Quebec and Montreal did fairly well. I understand they are going to try and carry on trade this summer. Now they have a breakwater and wharf built, whereas before there was no protection against the high wind; so that with the protection in the way of harbour facilities I believe that with encouragement we could open a very good fresh live lobster trade with Quebec and Montreal. Lobsters caught during the day or evening could be brought to shore and marketed in Quebec at half past twelve next day, or 7 o'clock next evening in Montreal, and I think if the fish merchants of Quebec and Montreal were made aware of the facilities which are now in existence for such short shipments, we could develop a very good trade with them, for fresh lobsters could be carried to Quebec, Montreal or Toronto, and they could be shipped to the latter city within thirty or thirty-four hours. I would suggest that the committee make a recommendation in that direction.

By the Chairman:

Q. What is the difference in the price when you sell them alive?—A. I understand they can command any price in Quebec or Montreal as compared with the almost nominal price they obtain at home.

Q. Which means a large increase?—A. Yes a large increase.

Q. You do not know the figures?—A. I would not like to venture giving the figures.

Q. Do the fishermen work on their own account at Petit Rocher, or on wages?—

A. There are two or three who have a small number of traps and carry on the fresh lobster trade with the neighbouring town of Bathurst, and also occasionally with Quebec and Montreal.

Q. What size of lobsters are acceptable in the Montreal market?—A. I think 9 inches would be acceptable—very acceptable, I think.

Witness discharged.

Committee adjourned.

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COMMITTEE ROOM No. 32,

HOUSE OF COMMONS,

THURSDAY, April 22, 1909.

The Select Standing Committee on Marine and Fisheries met at 11 o'clock a.m., the Chairman, Mr. Sinclair, presiding.

Mr. J. J. HUGHES, of Souris, P.E.I., called, sworn and examined.

By Mr. Warburton:

Q. I understand you have been engaged in the lobster industry for some years?—A. Yes.

Q. How long have you been so engaged?—A. Directly, I think, about 4 years.

Q. The lobster industry is carried on extensively in the neighbourhood of where you live, I think?—A. Yes, very extensively, and for many years I have taken an interest in the industry, seeking to get information from both canners and fishermen. While I was agent of the bank, it was my duty to get all the information possible in regard to the industries of the province.

Q. For how many years, roughly speaking, have you had an acquaintance with the industry from a commercial or other standpoint?—A. About 25 years I would say.

Q. Can you give me an idea as to whether the lobsters are increasing or decreasing in size and in number in Prince Edward Island?—A. Well, my information is to the effect that some 10 or 12 years ago, perhaps 15 years ago, they were decreasing in size and number, but during the last 4 or 5 years, and particularly during the last 2 or 3 years, they have increased in quantity and there has been no decrease in size, particularly on the north side of Prince Edward Island. That is the information I have.

Q. Well, you more particularly refer, I suppose, to the eastern end of Prince Edward Island?—A. Yes, the eastern end.

Q. What is your opinion, Mr. Hughes, as to the size limit? It is 8 inches, I think now?—A. Yes.

Q. What is your opinion as to the size limit? Is it observed?—A. It is not observed, and it cannot be observed.

Q. What would be the effect if a strict enforcement were insisted upon?—A. Everybody is agreed upon that. It would mean the closing of the factories.

Q. What is your opinion as to the size limit? Should there be any size limit or should the size limit be reduced in your opinion?—A. I don't think a size limit is practicable.

Q. You have told us that the size of lobsters has increased during the last 3 or 4 years and also the numbers?—A. Well, I would not say so much as regards the size but certainly as regards the numbers. I do not think the size has decreased, at all events during the last 3 or 4 years.

Q. How has the catch been in that part of Prince Edward Island, has it been good?—A. Yes, good.

Q. Some questions have come up here, Mr. Hughes, as to the license system that now prevails. I would like to hear your opinion upon that matter?—A. Well, it is unsatisfactory to a number of people. Those who have not got a license, a number of fishermen, think it is a great hardship.

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Q. What is your opinion as to the effect that the license system has upon the lobster business, is it good or bad?—A. In what way? I hardly understand the question.

Q. I mean does the fact that licenses are granted tend to preserve the fishery or otherwise?—A. No, I do not think the present licensing system would tend to help the fishery in any way for this reason: that it is not the canneries that catch the lobsters, it is the traps that catch them, and there is no restriction upon the number of traps that can be put in the water.

By Mr. Daniel:

Q. It is the canneries that buy the lobsters?—A. It is the canneries that buy the lobsters, but the traps that catch them; the lobsters are caught in traps.

By Mr. Warburton:

Q. I infer from that statement that the same number of traps would be put out with licenses as without? Is it possible to have a greater number of traps out if the licenses are done away with?—A. There might be some increase but I do not think a very great amount.

Q. There would not be a very large increase?—A. Generally speaking I would not say there would be a large increase but there would be some in some cases. The former licensing system permitted a man who had a license say for one or two factories, to establish as many subsidiary factories as he wished, or what are locally called boiling places. He was allowed to put out as many traps as he wished and it appeared to me that while the intention of the regulations, so I am informed, was to perpetuate the industry and to curtail to some extent the number of lobsters caught, it could not possibly have that effect.

Q. And as a matter of fact it did not have that effect?—A. I do not think so.

By the Chairman:

Q. These boiling places are illegal now are they not?—A. Yes, so I understand, but the reason why the system was so unpopular, with a number of fishermen at all events, was that the man who had a license appeared to be able to extend his privileges as much as he wished while the man who had none could not get a look-in at all.

Q. It was really meant to cover a number of places?—A. Yes.

By Hon. Mr. Brodeur:

Q. That system is no longer in force now?—A. That system of having boiling places is no more in operation but there is no restriction upon the number of traps that can be put in the water and by using gasoline launches or boats propelled by gasoline, the area could be enlarged, and a greater number of traps placed in the water.

Q. What effect has the license system, which would confine the business to a limited number of people, had upon the quality of the output?—A. I do not think it has had any effect at all.

Q. What I mean is this: When the industry is in the hands of a few men would the quality of the product be better than when it is in the hands of a great many, when every man who applies for a license can get one?—A. If the industry is in the hands of a few men those men necessarily have to employ help to catch the lobsters and put them up.

Q. But would they put up a better quality of product than the smaller packer?—A. I do not think it is reasonable that a man will do more, or better work for an employer than he will do for himself.

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Q. That is right, but it was stated in evidence here some time ago that owing to the industry being placed in the hands of fewer men they devoted more attention to it and had better equipped factories with the result that their output was improved?—A. I do not think that is correct.

Q. That is the point I wanted to find out?—A. As a matter of fact I know some small canneries and so far as my knowledge and information goes they get as good a price for their lobsters as the larger canneries; in fact I do not know of any bad lobsters being put up by smaller canneries. I have heard of some poor lobsters being put up by the large canneries.

By Hon. Mr. Brodeur:

Q. Before the restriction of licenses took place were there not a large number of places where lobsters were canned? was not canning carried on even in kitchens and other places?—A. That was a good many years ago, I think. Possibly there might be some who did that but I do not think it went that far; I never heard of that. It takes some capital and skill to put up lobsters and the large buyers that buy from the canneries will not purchase the lobsters unless they are of good quality, merchantable lobsters. These buyers examine them all before they buy them and the men who put up poor lobsters could not sell them.

Q. What amount of capital would you consider necessary to start a cannery?—A. I would not put it beyond the reach of four or five fishermen, that number of fishermen combining together.

Q. What I meant was the amount of capital necessary for the establishment of a cannery.

Mr. Warburton.—How much does a cannery cost?

Q. Could we restrict the licenses by taking into consideration the capital invested in a cannery?—A. What do you mean by cannery? Is it the building or the whole plant?

Q. The building and the plant?—A. I would say \$1,200.

Q. Would you be of opinion that any man who could put up a cannery and install a plant for \$1,200 should get a license?—A. I would say about that amount. I do not think it should be put beyond the reach of four or five fishermen to unite and establish a cannery of their own. If you put the amount higher than that you would probably make it beyond their reach.

By Mr. Warburton:

Q. That point came up in the course of this investigation a little while ago in connection with the testimony of one of the witnesses. The gentleman in question pointed out that you have not only to build your cannery but have to install proper apparatus for handling the product. For instance, they sometimes use tables of glass or zinc and by using these appliances it conduces to cleanliness?—A. I think every man will try to save money and get appliances as cheaply as he can that will do the work.

Q. The season in the eastern end of Prince Edward Island at present is from the 29th May to the—?—A. No, from the 26th April.

Q. I mean from the 26th April to the 10th July?—A. Yes.

Q. What is your opinion as to the length of the season?—A. I think the length of the season is about all right, but if I might be allowed to remark, if it is thought necessary for the preservation of the industry I would shorten the season but according to the experience of the last four or five years I do not think it is necessary to do so. That is the suggestion I would make if it is found necessary in order to preserve the industry.

Q. That is you would take off the July end?—A. Take off the July end or begin on May 1 instead of April 26.

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Q. We have had a good deal of evidence about berried lobsters. What is the proportion of berried lobsters that are taken in your end of Prince Edward Island?—

A. In the first part of the season, of course, there are not so many as when the season advances. I suppose about 4 per cent would be the average.

Q. That would be the average all through?—A. Yes.

Q. The bulk of them would be taken during the last three or four weeks?—A. In the latter part of June and the early part of July.

Q. You think that about 4 per cent would be the average for the whole season?—A. That is my opinion.

Q. That would bring the catch of berried lobsters during the July end of the season up to a pretty high percentage?—A. I do not think any higher than 5 per cent or thereabouts.

Q. You think that the present season is all right so far as you know?—A. I think the present season is about right.

By Hon. Mr. Brodeur:

Q. You know that the season has been changed a little?—A. Yes, a few days have been taken off the beginning.

Q. And you are speaking of the season as it now exists?—A. As it is now, from the 26th April.

By Mr. Warburton:

Q. I have been requested to ask you as to the labelling system which has not been touched by any previous witness. What is your opinion as to the system of labelling that prevails?—A. Labelling the cases?

Q. Yes?—A. For what purpose?

Q. There are two ways of labelling. The cases, if I understand rightly, must be labelled with the stamp of the department?—A. Yes, before the cases are allowed to be shipped.

Q. Sometimes an officer goes around and labels the cases himself and sometimes he hands the labels or the stamps to the packer. Does that system work satisfactorily?—A. It will work satisfactorily I think for anybody who wishes to engage in poaching. I think it might be described as an aid to poaching.

Q. In what way Mr. Hughes?—A. In this way: Supposing a canner has 150 cases of lobsters ready for shipment and he invites the inspector or the overseer to come and label the cases and he comes and labels the 150. If that man intends to pack lobsters caught out of season he empties 50 of these cases and he puts the contents into other cases that have not been labelled and then puts the 50 labelled cases into the top story or basement of his warehouse, or some place, and leaves them there until the fishing season is over and he gets lobsters that have been caught out of season. Then he puts these lobsters into the cases that have been labelled and put away and there is nothing in the world to prevent him from shipping them.

By Mr. Kyte:

Q. How is he going to ship those 50 cases to which lobster meat has been transferred unlawfully?—A. When he packs the next hundred he informs the inspector that he has another 150 ready for shipment and the officer goes and labels them.

By Mr. Warburton:

Q. How does he get rid of them after he takes them out of the place where they have been stored?—A. In that way.

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By the Chairman:

Q. As a matter of fact he only has 100 cases of lawfully packed lobsters the next time?—A. Only a hundred cases when he asks for the second time for the label to be placed on 150 cases. I am giving you these figures to illustrate my meaning.

By Mr. Kyte:

Q. But they must be filled before they are labelled?—A. Certainly, the inspector sees that the cases are full.

Mr. WARBURTON.—What the witness says, if I understand him aright is this: When the packer gets 150 full cases labelled he surreptitiously empties 50 of them?—A. Say 50 of them.

Q. You use that number as an illustration. Then he places the lobsters into other cases and places the cases which have been emptied away for use in the illegal season?—A. Yes, that is it.

Mr. CROSBY.—He just supplies the cases.

Mr. WARBURTON.—Just supplies the cases.

Q. What I want to get at is this: How can he dispose of the 50 cases which have no label on them?—A. He has 150 cases to start with.

Q. Yes?—A. He gets them labelled and he empties 50 of them. Then he ships 100 only and when he gets another hundred cases of lobsters he informs the inspector that he has another 150 ready for labelling.

Q. I see how it is worked?—A. And then the inspector goes and labels them.

By the Chairman:

Q. What is your cure for that state of affairs?—A. I would abolish the labelling system until the end of the season. I would allow the packer to ship without labelling and at the end of the fishing season let the inspectors go around to the factories or warehouses and label all lobsters that are not then shipped and label no more.

By Hon. Mr. Brodeur:

Q. Is this illegal practice carried on on a very large scale?—A. No, I do not think so.

Q. It is a fraud?—A. It is an aid to illegal fishing. Some years ago it was done on a much larger scale than it is now. Some years ago there was no check upon the number of labels that was issued.

By Mr. Warburton:

Q. I think it is different now?—A. At the time I speak of the warehouse man could get as many labels as he wanted.

Q. I understand a check is kept now?—A. I do not know that it is kept very accurately.

Q. Have you any idea as to the destruction of lobsters by fish? The department is establishing hatcheries in various parts of the maritime provinces, including Prince Edward Island, have you any idea of the nature of the destruction of young lobsters by fish that prey upon them? What varieties of fish do that?—A. I know the codfish preys heavily upon them and upon the spawn. Other fish may do so too but I know the codfish take the lobsters when they are of medium size in great numbers.

Q. And probably other fish also do the same?—A. They prey upon the small and the medium sized lobsters. It is not an unusual thing to find four or five lobsters in the stomach of a codfish.

Q. Is there any other matter you would like to bring before the committee?—A. No, not that I know of.

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By Mr. Fraser:

Q. Beginning where Mr. Warburton left off. You said it was not an unusual thing to find four or five lobsters in the stomach of a codfish?—A. Yes.

Q. Are you speaking from experience?—A. I am speaking from information obtained from dozens of fishermen, men who have been engaged in the business.

Q. You are speaking from information obtained from others?—A. Yes.

Q. You do not know that of your own knowledge?—A. No.

Q. You do not know what size these lobsters would be?—A. Of medium size.

Q. What would you recommend as an improvement on the present regulations?—A. In regard to licensing?

Q. In regard to granting licenses for the fishing and canning of lobsters?—A. I think that every man or every group of men that can show the department that they are prepared to put up lobsters properly ought to get a license to do so. I do not think it is fair to confine the license to any number of individuals. I think that in particular young fishermen who by experience know all about the canning business and who want to go into the industry for themselves, I think it is a great injustice and great hardship to prevent these men from engaging in the enterprise.

Q. Would you say that they would have to give the department some evidence of fitness?—A. That might be one of the conditions.

Q. They would have to show the department that they were able to fish and pack lobsters?—A. Well there might be some regulation cannery or they might have to comply with certain conditions as to the quality of the lobsters, something of that kind.

Q. Would that not necessitate the appointment of an inspector of canned goods?—A. No, I do not think so. I think that would only necessitate the overseers seeing that the factories were kept in proper condition.

Q. Seeing that the packing houses were kept in proper condition?—A. That they were kept clean and in proper condition because the purchaser is the best inspector of the quality of the goods.

Q. Then it is your opinion that a license should be granted to every applicant?—A. I think so. I do not know that I would go quite so far as that, but I certainly think there should be very few restrictions placed upon them. The fact of the matter is, I do not know that the privilege would be applied for in a great many cases but while the fishermen know that some people can get licenses while others cannot they think they have a grievance at all events.

Q. You are speaking from experience, I suppose, in this matter, that is that you have had applications made to you to obtain licenses?—A. Yes.

Q. Numerous applications?—A. Numerous applications. The fishermen complain all the time of that regulation.

By Hon. Mr. Brodeur:

The department now grants licenses to a certain number of fishermen on the co-operative plan. What has been the feeling among the fishermen as to that?—A. That may perhaps allay their feelings to some extent but whatever system is adopted, I think it should be the same for every person.

Q. Under the new plan it is the same for every person except that we require a certain number of fishermen to co-operate?—A. But there are some people who have a license in individual cases and in another case you require a certain number of people to join together before they can get a license.

Q. As you are aware formerly only those who had licenses could get them renewed but since last year we have adopted a new system under which we are granting licenses on the co-operative plan. Since the inception of that system do you think the fishermen have had any reason to complain?—A. I think the number perhaps is too large.

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By Mr. Fraser:

Q. Have you received many applications to render help in getting licenses during the last 4 or 5 years in your county?—A. I know I have received a good many; how many I could not say.

Q. Do you know how many licenses have been granted in Kings county, Prince Edward Island, during the last 5 years?—A. No, I could not say offhand.

Q. Do you know of any one that has received a new license during the last 5 years?—A. I think that during the last year or two some men have received licenses. During the last 4 or 5 years, I think, some licenses have been granted.

Q. Did those to whom these licenses were granted come in under the new regulations requiring 20 bona fide fishermen to make application or were the licenses granted under the old regulations?—A. Since the new regulations were established, I suppose they came in under them. Before the new regulations were established they would come in under the old.

Q. Is it possible in Kings county, do you think, for fishermen to get a license unless they come in under the new regulations requiring 20 bona fide fishermen to combine together in an application, do you think it is possible for an individual to get a license?—A. The department will be best able to answer that.

Hon. Mr. BRODEUR.—I do not think that has been done. Have any been issued in that way, Mr. Venning?

Mr. VENNING.—No, sir.

Mr. FRASER.—Henceforth the department will only grant new licenses to these clubs?

Hon. Mr. BRODEUR.—Yes.

Mr. FRASER.—That is the point I want to bring out.

Hon. Mr. BRODEUR.—I thought perhaps you had information that we had granted such licenses?

Mr. FRASER.—No, I want to bring the fact out before the committee that it is not the intention of the department to grant a new license to any single individual, but only to these clubs consisting of about twenty fishermen.

Hon. Mr. BRODEUR.—Yes.

By Mr. Fraser:

Q. How long have you been in the fishing business, Mr. Hughes?—A. I think four years directly interested.

Q. Do you sell your lobsters in Canada or in the old country?—A. In this country.

Q. Did you ever do anything in the live lobster business?—A. No.

Q. Have you ever looked into that business to any extent?—A. No.

Q. Do you think any trade can be done in the live lobster business?—A. In Prince Edward Island?

Q. Yes?—A. I do not know. My impression up to this time was that it could not pay, but perhaps I have been wrong and that better facilities, perhaps, would enable shipments to be made.

Q. I was just going to ask you what would be the obstacle to the shipment of live lobsters to Quebec, Montreal or Ottawa as far as you are able to judge now?—A. I suppose the delay in shipping.

Q. The delay in shipping?—A. Yes, and the transportation would be the chief trouble. I do not know what the demand would be.

Q. You do not know anything about the demand I suppose because you are not in the business? Have you any idea of the market for live lobsters in Montreal or any other place in Canada?—A. No.

Q. You have never sold any in Kings county?—A. No.

Q. Your evidence as to the size limit is that it would be injurious to the industry and kill it to enforce the size limit?—A. That is it.

Q. What other recommendation have you?—A. If you will permit me I would say that I do not think a size limit is necessary in order to preserve the industry.

Q. The opening of the season, as you know, has been shortened. Would you be in favour of taking off any number of days at the other end, say in July?—A. I would if it were found necessary to perpetuate the industry but if not I would leave the time as it is.

Q. Do you know anything about berried lobsters, that is spawn bearing lobsters?—A. Yes.

Q. At what period of the season do they come into spawn?—A. I think some of them come in May, but they, come in larger numbers in June and I think in still larger numbers in July and August.

Q. I think you are right in that according to the other evidence which has been given?—A. I think so.

Q. The destruction of these berried lobsters means more or less injury to the industry. You would naturally think that would you not?—A. Yes.

Q. Then do you not think it would be better to cut off the last ten days of July from the present season so as to preserve the berried lobster to some extent?—A. My information, derived from the fishermen themselves, is to this effect: that the fishermen themselves will form unions to preserve the berried lobsters, that they are impressed with the importance of the industry, and particularly if there is no restriction, but that every man who has a right to do so has a right to engage in the industry, that it is not preserved for a few individuals, but for the whole people, then it will not be difficult to get the fishermen to form unions and preserve the berried lobsters for their own advantage. While that has not been done in the past, I think it is possible to have it done in the future at all events. The fishermen have a certain sense of honour amongst themselves—perhaps not in all cases, but to a very large extent— and if it is explained to them that this regulation is entirely in their own interest it can be carried out.

Q. I do not think that reasoning would be sound. If you leave it to the honour of the fishermen altogether, while a great many of them might act honourably a certain class would not observe the law. The same thing as you suggest might be done in the case of any other regulation, and then what do you think the result would be? Do you not think it would be better to adopt a regulation fixing a close season, to begin on the 1st July, then you would have all the fishermen placed on the same footing?—A. If necessary, I would make the close season begin on the 1st July, that is, if necessary to perpetuate the industry.

Q. In order to preserve the berried lobsters, do you not think it would be necessary to close the season a little earlier, especially as the factories during the ten days in July do not, as a general rule, do very much business?—A. It is just the opposite to that. The last days of the fishing season very often give the best fishing.

Q. In some parts of the island that is not the case; on the south side of the island the fishing is not the best then?—A. No, but on the north shores of the island the best fishing is very often in July—Sometimes, at all events.

Q. I think one witness recommended that the season should close on the south side on the 1st July, and on the north side on the 10th July as it is now, what do you think of that?—A. I think that would be all right, I think it would be reasonable.

Q. Are there any other general recommendations that you could make to the department, for instance, as to providing better transportation facilities or anything of that kind?—A. I have not thought of that.

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Q. You have shipped fresh fish?—A. Yes.

Q. How did you come out on that?—A. We did not come out very well. That was in the winter season.

Q. Can you tell us the cause of your loss on that shipment?—A. There was great delay in getting our fish into the Montreal and Toronto markets, very great delay.

Q. Would you not recommend the department to provide better transportation facilities?—A. We could not exactly locate where the trouble arose, whether it was on the Intercolonial or the Grand Trunk, but at all events it happened that way once when the weather was very cold, and our fish arrived in good condition. The consignees would not pay the freight, and would not take delivery of the fish at all unless we guaranteed the shipment. They would not pay for them until they found them to be all right. I am speaking from memory now entirely.

Q. Do you not think we could have as good a lobster trade between Souris and Boston or Montreal as between Halifax and those places if we had the same transportation facilities?—A. The same transportation facilities as what?

Q. As Halifax?—A. I do not think we could ever get as good transportation facilities as they have there because they can put their fish right on board the cold storage car at the terminal point and that car goes right through to its destination. I understand, while we have to ship them first by steamer and then get them on to the car. There is that much disadvantage.

Q. Do you not think it would be a great benefit if we could put our fish in a cold storage car on the wharf at Souris?—A. Yes, of course, it would be an advantage.

Q. You think that would be a great advantage?—A. Yes, that would be some advantage.

Q. We would be on an equal footing if we had the same transportation facilities, would we?—A. Yes, I think so, as far as I can see at present.

By Mr. Crosby:

Q. Are you in favour of the present method of dealing with licenses?—A. No, I think it is unfair to the man that is on the outside.

Q. What do you mean by the man on the outside?—A. The man who has no license.

Q. You mean the fisherman?—A. Yes, the fisherman.

Q. That is the man?—A. Yes, that is the man.

Q. And your impression is that if we allowed the fishermen to get together in union or to combine themselves more in their own interests and the interest of the lobster industry and give them more opportunity of protecting themselves in a sense, that would be a good method?—A. If you can remove from their minds the idea that they are discriminated against.

Q. Exactly. Make them feel——?—A. Yes, make them feel——

Q. That the industry was theirs?—A. Was theirs.

Q. If they were allowed to do that and were educated by frequent visits from a department expert as to the possibility of the extinction of the lobster if they did not take proper precautions, if they were fully informed as to the habits of the lobster and how it could be preserved, you think in their own interest they would adopt the necessary precautions?—A. I think it would have a good effect.

Q. You do not think it is a fair and reasonable thing to refuse any fisherman who fishes lobsters the right to can, themselves?—A. I do not think it is fair to refuse the privilege of canning the lobsters to the fishermen if they are fishermen who know that they can put them up properly and who feel that they have a right to any profit that is in the industry.

Q. Exactly. Your opinion is that it is not fair to refuse a license to a bona fide lobster fisherman to put up his own lobsters?—A. I do not think it is fair.

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Q. In fact you said a moment ago that to allow the fishermen to put up lobsters is the best guarantee that it would be properly done?—A. It is the best guarantee possible.

By Hon. Mr. Brodeur:

Q. Do you mean to say, Mr. Hughes, that any man who wants to can lobsters should be allowed to do so regardless of whether or not he has the proper building and a proper plant for that purpose, is that your idea?—A. No, that is a very extreme view to take.

By Mr. Crosby:

Q. Would any fisherman undertake to put up lobsters unless he had the necessary plant. He would want to put them up as good as possible in order to make them marketable, would he not?—A. A man must put up a reasonable quantity before the business can be made profitable. The fisherman knows that he must put up a few hundred cases before it is possible to make any money out of the business. The fishermen understand that as well as anybody else.

Q. How many licenses are there in Prince Edward Island now?—A. I could not say from memory.

Q. How many licenses would there be in your own county?—A. I do not know. The department would know that, I did not take the trouble to look it up.

Q. What I want to get at is whether there are more licenses now than there were before the new regulations went into effect, or whether there were just as many but in the hands of fewer people? What I mean is that a man might want a license to can in three or four different places—A. No, he did not can in three or four different places but he partially prepared lobsters in three or four different places and then the product could be transported a greater distance without injuring the meat.

Q. That is practically the same thing. I understood you to say that the industry would not suffer if the size limit was not put higher. What is the size limit in Prince Edward Island, 8 inches?—A. Eight inches? There is no size limit at all.

Q. No limit at all?—A. Practically no limit.

Q. Do you think there should be a limit?—A. I do not think it is practicable to make a limit and go on with the business.

Q. Did I understand you to say that we have no limit practically, because there is a limit in force?—A. The limit has not been observed.

Q. There is no limit in force?—A. Yes.

Q. And you think there should be no limit?—A. Yes, I do. I do not think there is any use making regulations and not carrying them out.

Q. That is a different thing. I understand you to say that the limit is not observed and not enforced?—A. And it cannot be enforced without closing up all the factories. That is my opinion at all events.

Q. You think that the enforcement of the 8-inch size limit would practically close up all the factories?—A. I firmly believe that.

Q. You also believe that without a size limit the fishery will go on equally as well as it does to-day?—A. I do.

Q. Have you read the evidence given here by Prof. Prince?—A. I read some of it.

Q. I think it was Prof. Prince who stated that not more than one lobster in a hundred spawns at 7 inches in size. At 8 inches in size according to him, there are not more than 40 per cent that spawn?—A. Of the female lobster.

Q. Would you think it would be a good thing to allow lobsters to reach 8 inches in size so that they may spawn and so assist the preservation of the industry?—A. For some reason or other enough lobsters survive to keep up the supply and perhaps the hatcheries are assisting that result.

Q. You think that enough lobsters escape the fishermen to keep up the supply?—A. Yes, and escape their natural enemy.

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Q. At any rate your view is that it would not be any detriment to the lobster industry if we had no size limit at all?—A. No, because, as a matter of fact, the industry appears to be improving although we have no size limit observed. I am speaking now for that portion of Prince Edward Island with which I am acquainted, that is the eastern portion.

Q. I could not get from you the information about the number of licenses—A. Mr. Venning will give you that in a moment, I think.

Q. At any rate your opinion is, as a man who has been in the business for a number of years, that the lobster industry would be as safely guarded by issuing licenses to pack their own lobsters to the fishermen who apply for them as it is under the present condition?—A. I do and I think that bona fide young fishermen who are anxious to engage in the business, who have perhaps saved a little money out of their own earnings, should be allowed to go into it, that it is a great injustice, and a great hardship to refuse them a license. I know that some young fishermen have left the province, and some perhaps have left Canada by reason of being refused that privilege and they perhaps feel the hardship more. If they knew the privilege was there for them they might not want it.

Q. That is if they knew they were not debarred?—A. Exactly. That appears to be human nature.

Q. And you think that under that condition the lobster industry would be as well preserved as it is now?—A. I think so and if necessary to preserve the industry shorten the season. You do not preserve the industry by discriminating between different individuals.

Q. Individuals who should have a license?—A. Who should have a license and yet do not have it.

Q. Do you know many of the men who hold licenses at the present time in your vicinity?—A. Yes, I know them personally.

Q. What class of men are they, are they merchants?—A. Largely merchants.

Q. You do not know of any fishermen who are catching and packing their own lobsters do you?—A. Not many. That is where the fishermen feel a grievance. They see other men who have other means of making a living making a profit of it. Perhaps the profit is not as great as they imagine but at all events they think it is large.

Q. Have you come across many men that you would grant a license to on their own application if you had the power to do so?—A. Yes, I have come across some.

Q. That you consider worthy men to receive a license?—A. I think the practical fisherman, the men who have been engaged in the industry for some years and possess ordinary intelligence, are capable of doing the work as well as it can be done and doing it even better than hired men.

Q. That is the information I wanted to get?—A. The merchants and other people engaged in the business that have to employ help must depend upon the intelligence and faithfulness of these men to do the work right.

Q. And you think that the bringing of fishermen closer together and the sending of competent lecturers to address them on the methods of propagating the lobster and the habits of the lobster would be of advantage to the industry?—A. Yes, to have a good practical man going among the fishermen but he ought to be a practical man.

Q. A practical man as well as a man of theory?—A. Yes.

Q. Then that is your opinion, that the bona fide lobster fisherman who applies for a license should be granted one and that if the licenses were issued in that way the industry would be protected as safely and as carefully as it is under the present regulations?—A. Practically so, yes.

By Mr. Daniel:

Q. Your testimony varies in some respects from what we have formerly heard, that is you have given us to understand that the fact of the size limit not being observed in Prince Edward Island has no deleterious effects on the fishery?—A. I would not say that it had no deleterious effect.

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Q. Well explain your views on that matter?—A. What I said was that the fisheries were not injured during the last seven or eight years, and particularly during the past two or three years instead of the quantity and size decreasing an actual increase took place.

Q. The lobsters are larger are they?—A. They are not any smaller and they have increased in number.

Q. You said that there is no size limit observed?—A. No size limit observed at all, there is no doubt about that.

Q. Have you any fishery overseers on the island?—A. Yes.

Q. What do they do?—A. I suppose they look after the business for which they have been appointed, but it is well understood by everybody that there is no size limit observed.

Q. Did you ever have an overseer at your factory?—A. Yes, he may have come when I was not present.

Q. You know that your factory takes all lobsters from anything up to nine inches?—A. I would not say from anything.

Q. But practically so without any limit?—A. I do not think there would be any as small as four inches caught, possibly there would be some down to five or six inches.

Q. Have you ever been reported for packing lobsters under size?—A. I do not think so. I never heard a word about it. Everybody does the same.

Q. Do you know any one on the island that has been reported?—A. Not within late years.

Q. Then as a matter of fact these overseers do not do anything at all?—A. Not in regard to that particular point.

Q. What other duties do they perform?—A. The department would be better able to answer that. I do not know what their duties are.

Q. Have you ever read the report of the Lobster Commission of 1905, I think, of which Colonel Tucker was chairman?—A. No, I never read that.

Q. You are not familiar with the recommendations they made?—A. No.

Q. Do you think that if the size limit was observed, the industry would be improved or not?—A. I suppose if the size limit was observed it would mean the closing of the factories.

Q. Why?—A. Because you would not get enough large lobsters, eight inches and over, to make it worth while for any man to keep the factory open—I mean around Prince Edward Island. I suppose they will grow larger and increase in numbers under those conditions.

Q. You think that the observance of the size limit would close up the business entirely?—A. I feel sure of that.

Q. You have not read the report that I referred to?—A. No.

By Mr. Kyte:

Q. It requires some considerable capital does it not to engage in the lobster canning business successfully, that is to be able to withstand the unfavourable markets that cannery meet sometimes?—A. I do not think it would require very large capital.

Q. Was the market last year for canned lobsters a pretty good one?—A. Excellent.

Q. Do you know whether the pack on the island last year was marketed that year?—A. The whole of them?

Q. Yes?—A. No, they were not all marketed.

Q. Why?—A. Because some of the cannery did not sell in time and the price dropped and then they held on to their lobsters, I suppose, thinking the market might improve.

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Q. Speaking of these fishermen engaging in the lobster canning business, one result, of course, would be to put the large canneries out of business?—A. No, I do not think so.

Q. You think it would not affect the large canners at all?—A. How would it put the large canners out of business for small canners to engage in it?

Q. If the fishermen are going to can their own lobsters, who is to fish for the other canners?—A. To begin with, I do not think all the fishermen would do that, and if they did—

Q. The point I want to get at is the danger that these small factories might meet an unfavourable market, which would result in getting them involved financially, so as to prevent them continuing the business. I want to know whether that is the case or not?—A. I do not know that it is part of the functions of the government or of the Department of Marine and Fisheries to see that everybody was protected in the industry that he was engaged in.

Q. I am trying to figure out what the result may be ultimately, that is all. With regard to berried lobsters, there is no attempt made to enforce the regulations there any more than in the case of the size limit, is there?—A. Is it against the regulations to catch the berried lobsters?

Q. Yes?—A. Well, it is so easily evaded. The fishermen can brush the berries off with his hand or swish the lobsters through the water. If the spawning period is pretty far advanced the berries will come off so easily that I think it is impossible to enforce that regulation.

Q. What do you think of the idea of wiping the regulation out absolutely and shortening the season when the lobsters have the greatest number of berries on them?—A. I would shorten the season if it were necessary to preserve the industry.

Q. You think that would result in saving the berried lobsters?—A. I think that arrangements could be made with the fishermen themselves to largely save the berried lobsters.

By Hon. Mr. Brodeur:

Q. How many men does it require to run a lobster factory?—A. It depends upon the size of the factory.

Q. You said a few moments ago that a good-sized factory would cost \$1,200 to establish?—A. I did not say a good-sized factory; I would say that would be a factory of small size.

Q. How many men would such a factory require?—A. Say four or five boats, and two men to each boat. Then there would be—

Q. The men in the factory itself?—A. Three or four men or boys in the factory, and two or three girls.

By the Chairman:

Q. Would four or five boats keep a factory busy?—A. It depends upon the size of the factory.

Q. I mean a factory of the size that you are talking about?—A. Yes.

By Hon. Mr. Brodeur:

Q. Four or five boats?—A. Yes.

By Mr. Daniel:

Q. How many traps would that mean?—A. About 200 or 250 traps to a boat, it depends upon the locality. In some places you would require 300 or 250 traps. In other places 200 traps would be quite sufficient for a boat.

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By Hon. Mr. Brodeur:

Q. Let us figure that out. There would be ten men in the boats?—A. Eight or ten men in the boats. Four boats will make a nice little factory.

Q. And three or four men in the factory?—A. Yes.

Q. And besides that two or three girls in the factory you say?—A. Yes.

Q. That means sixteen people. Do you think the department is very extravagant in requiring fifteen fishermen to co-operate together?—A. Well you have not half that many, you have only eight in the case I mention.

Q. There would be eight fishermen and also the persons in the cannery which would make fifteen people?—A. But some of those are girls.

Q. But outside of the girls there are fourteen?—A. Well perhaps twelve and then the boys. There may be some boys there. Boys are very useful in a factory for doing certain work and they are cheaper than men, boys and girls.

By Mr. Crosby:

Q. As a matter of fact if a bona fide fisherman such as I was speaking of undertook to establish a factory, would he have any difficulty in getting a merchant to advance all the supplies he wanted?—A. He would require to have accommodation. I suppose the men would get somebody who would give it to him.

Q. Would the really bona fide fishermen such as you spoke of, to whom you would issue a license if you had the power, experience any difficulty in getting a merchant to help him, if he needed help to obtain the gear he required in order to catch all the lobsters he wanted to?—A. If he was a reliable man who understood his business and if the merchant or capitalist considered there was room for another factory there. In other words if he was likely to succeed, he would have no difficulty in raising the necessary capital.

Q. Then he would have no difficulty in obtaining that help?—A. In all probability he would have no great difficulty in raising the necessary capital.

Q. If there was no probability of his succeeding he would not be a merchant?—A. I think the fisherman, practically, will succeed where the merchant will not.

Q. You stated that some lobsters were held over in the island, that the packers did not market all their lobsters?—A. Yes.

Q. Had these lobsters been in the hands of fishermen they would have been all marketed?—A. Exactly. Because the small canners would not be able, perhaps, to hold their catch.

Q. There is no difficulty in selling good canned lobsters at any time during the season at good prices?—A. There has been no difficulty during the last eight or ten years that I know of.

Q. And the putting up of lobsters by the fishermen would not interfere with the industry in any shape or form except a particular cannery that could not get enough lobsters put up; but the fishermen themselves would cover that. Have you read the evidence given by Prof. Prince with regard to the amount of meat furnished by lobsters of different sizes? For instance he said that an 8-inch lobster would furnish one-third more meat than a lobster of 7 inches. As a practical man what do you say about that?—A. I would be inclined to doubt that.

Q. It seems a lot of difference?—A. The smaller lobsters have the greater quantity of meat. The shell is lighter and thinner. A hundred pounds of lobsters 6 or 7 inches long will give you more meat than a hundred pounds of lobsters 8 inches long.

By Mr. McKenzie:

Q. Of inferior quality?—A. No, sir, of better quality perhaps, not of inferior quality. The best meat is found in the medium sized lobster.

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By Mr. Crosby:

Q. It would be a very strong reason in the interest of the industry as well as of the fishermen for having an 8-inch size limit if lobsters of that size produce so much more meat than lobsters of 7 inches?—A. I would like to test that.

Q. You say as a practical man that is not the case?—A. I would not say that is not the case.

Q. I would rather you did not perhaps because he has made that statement?—A. Well, if he made a test that is different.

By Mr. Warburton:

Q. Have you any knowledge of the fact that the hatcheries increase the supply of lobsters?—A. Increase the supply of lobsters?

Q. Yes?—A. It is generally known that the hatcheries have helped to increase the lobsters because they have increased there is no doubt about that.

Q. There are two lobster hatcheries which would affect your part of Prince Edward Island, one on Pictou Island and one at Charlottetown?—A. The fishermen on the Murray Harbour side, at Cape Bear, say that around there the lobsters have increased in number, so I am informed, and they think the factory at Pictou Island has helped them.

Q. Just across the Straits?—A. Just across the Straits.

Q. We had some evidence the other day as to the value of pounds for breeding lobsters and I brought up the question of salt water ponds. You have in Kings county a number of ponds or inlets where you get salt water. Are your lobsters caught in these ponds?—A. Where?

Q. For instance, there is North Lake, East Lake and Priest Pond?—A. No, I do not think so. I never heard of their being caught there.

Q. Would they be suitable breeding grounds for lobsters?—A. I do not think so, the water is too fresh.

Q. Too fresh?—A. I would think so. South Lake I imagine would be a good place for them.

Q. There are some ponds that I imagine would make good breeding grounds for lobsters?—A. Are you acquainted with South Lake?

Q. I have been there?—A. Well, the tide rises and falls in that, and I think it would be a very suitable place.

By Mr. McKenzie:

Q. The effect of your evidence I think is that licenses could be dispensed with altogether?—A. Well, I would not go so far as to say that. There might be some conditions laid down but I would not put the conditions beyond a few fishermen combining together, four or five fishermen and being allowed to put up their own plant. Whatever the conditions might be I certainly would not put it beyond that.

Q. Does the fact that a man is licensed compel him to be more careful in the quality of the lobsters that he puts up than if he had no license at all?—A. I do not think it because if he intends to sell the lobsters he must put them up suitably.

Q. Then a man who has no license violates the law if he does pack lobsters?—A. Or violates the regulations.

Q. That is the only difference?—A. Yes.

Q. You say that every man who applies for a license should get it. Then why not put lobsters on the same footing as salmon or any other fish in the sea?—A. Well, I would prefer that to the present regulations. There might perhaps be some restrictions made as to the size of his cannery or something of that kind.

Q. I think that the purpose of licensing was to safeguard the trade so to speak or limit the catch?—A. It was so stated, that that was the object of the license.

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Q. And the moment the necessity for limiting the catch would disappear, as you say it has now in Prince Edward Island, there is no purpose in restricting the number of people who can engage in the business is there?—A. I wish to report that the regulations appear to me to be very peculiar in that they restrict the number of canneries but that there is no restriction on the number of traps.

Q. In other words, as I understand you, lobster fishing should be like any other business; if a man thinks he can go into it with safety to himself he should be given a chance to do so?—A. Yes.

Q. And let him take his head for it like any other business?—A. Yes, like any other business.

By Mr. Jameson:

Q. What district of Prince Edward Island are you able to speak of authoritatively?—A. I am able to speak of the eastern end of Prince Edward Island.

Q. What proportion of the catch of lobsters there, is below the seed bearing size in your opinion?—A. What do you call the seed bearing size, about 8 inches?

Mr. DANIEL.—Nine inches.

The WITNESS.—Nine inches.

By Mr. Jameson:

Q. Well, opinions differ a little on that but running from 8 to 9 inches?—A. I would say fully 50 or 60 per cent, it depends upon the locality. In some localities the lobster are a little larger than in others but I think it would be along there somewhere. I did not consider that point but I think that about one-half of the lobsters would be fully 8 or 9 inches.

By Mr. Fraser:

Q. As to the labelling, what is the practice followed by yourself and the canners in the other sections?—A. When we are ready to ship we inform the overseer and he comes and labels the cases.

Q. Do you think there is very much fishing after the season in your part of the country?—A. I think there is very little if any at all; I have heard that there was a little illegal fishing, but that was in some other places.

Q. Have you heard who does the illegal fishing?—A. No.

Q. It is mostly in Prince county, have you heard that?—A. I saw that statement.

Mr. KYTE.—Mr. Loggie is present and would like to ask a few questions if the committee does not object.

By Mr. Loggie:

Q. How many pounds to the hundred do your lobsters weigh on the average, that is really the test as to the size of the lobsters caught?—A. I have never seen the test made, but I would say that it would be perhaps about forty pounds, but I might be mistaken in that.

Q. If your lobsters run small in size you are not very far astray. But if you work that out on the same basis of 40 pounds for 100 fish how many pounds of green lobsters does it take to pack a 48 pound case?—A. I would say about four or five pounds of green lobsters are required to make one pound of meat, and it is a matter of calculation as to how many would be required to make 48 one pound cans.

Q. Well, if it takes four or five pounds of green lobsters for a one pound can you will be using about 10 lobsters to each can?—A. Well, between eight and ten I would say.

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Q. And Professor Prince tells us that it will take nine seven-inch lobsters to make a can, I think that is what he says, then practically all the lobsters caught are about the average of seven inches.

Mr. MACLEAN.—It was Mr. Baker said that.

By Mr. Loggie:

Q. About spawning lobsters, I understand from your evidence that no care is taken to save the berried lobsters, and that they are pretty much canned the same as any other lobsters?—A. I think so.

Q. Could not that be avoided in this way—supposing the overseer of the department is instructed to visit the canneries every morning, or every day, and when the lobsters are broken, the shells are there and he could very easily see if the spawn is on the lobster shell; and if there is a heavy penalty for taking the berried lobsters would not the fishermen be then compelled to throw them overboard instead of bringing them ashore?—A. That is if the spawn is not washed off.

Q. Well, a man might wash it off in one case, but there may be twenty cases where it would not be washed off?—A. But would he not do it in every case if he was in fear of the inspector at the factory.

Q. Could not the overseer tell whether the lobster has been washed off or not?—A. I do not know, I would not like to say offhand, but I think it would be difficult to tell.

Q. I fancy it would be difficult after they were boiled.—A. And particularly if the berries were very ripe when they were washed off.

Q. As a matter of fact they do not at present fear any penalty and they do not wash them off?—A. Perhaps not.

Q. That is as far as your experience goes?—A. I think they do in some cases.

Q. If the overseers really exerted themselves and spent their time in going around looking after this could they not stop that?—A. They would want a great many more overseers than they have already if they attempted that. My opinion is that the fishermen themselves will do that, if you get their confidence, I may be wrong in that, but I have spoken to so many of them about it and they all tell me they are willing to do so.

Q. I think it is as you say.—A. They will form a union it is only a small percentage of them that are doing this any way, and for the sake of their own business they are willing to form a union and agree to put the lobsters back in the water, and there is honour among these fishermen, there is not one of them that would like to be found out after making an agreement between themselves, to put the berried lobsters back in the water; I think they may be trusted to carry it out.

Q. Following along the same lines do you not think the packers should join together and do something?—A. I think so, I think they would agree not to buy the berried lobsters provided the fishermen form a union of that kind and agree among themselves to put the berried lobsters back in the sea and not to bring them to the canneries. Of course if the canner knew that the other canneries would not buy them then he would be in a position to refuse to buy them if the fishermen brought them.

By Hon. Mr. Brodeur:

Q. Would he not be in a position to-day to refuse those lobsters?—A. I think he would, but if the man in the next cannery took them he would not be in the same position.

By Mr. Loggie:

Q. Would it not be a more likely thing for the canners to get together and lead the way for the fishermen, instead of the fishermen having to lead the way for the can-

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ners? If the canners got together and said: 'We will not take spawn lobsters from anybody under any conditions, and we will inform the overseer if we know of anybody else taking them'?—A. It would do no harm if the packers did that, and there would be no harm also in getting the fishermen together on the same lines.

Q. I know that in a great many districts the fishermen are hired and it does not make as much difference to them.

By Hon. Mr. Brodeur:

Q. We cannot reach the fishermen but we can reach the packers?—A. I know in the districts I have spoken of that the fishermen say they are ready to form a union, and they only want some one to direct them.

By Mr. Loggie:

Q. I agree with what Mr. Hughes says that if a packer knows that some other packer nearby is taking the berried lobsters he thinks it is all right for him to do so. If they agreed among themselves and if they kept the agreement it would be all right.

By Hon. Mr. Brodeur:

Q. The department could have the law observed?—A. I think the tendency among the fishermen is to do everything that they deem reasonable and practicable to preserve the industry.

By Mr. Loggie:

Q. That certainly should be the tendency. I heard you say in your evidence that with an increase in the factories you did not think the industry would decrease. Now let me give you a case in point, and ask you how this would work out. The territory where you fish, I fancy, is fairly well covered with traps, is it not?—A. Yes, sir.

Q. How man boats do you fish at your factory?—A. Four boats.

Q. And you say the territory is fairly well covered with traps?—A. Yes.

Q. Supposing somebody else came along and 200 yards away from you put up a factory with four more boats and eight men fishing out on that same ground, what will be the effect of that at the end of the season?—A. I do not think anybody would do that because he knows—

Q. I do not ask you that, that is not the point. I want to know what would be the effect of it? The effect would be this, would it not, that there would be quite as much expense; supposing your factory, for example was barely getting out, you have a certain capital cost for those four boats and plant, and the territory is covered with traps, and somebody comes in and puts out four more crews and fishes during the season, and the year before you came out about right, but this year you only get about one half your pack of lobsters, what would be the effect?—A. You can bring up these extreme conditions, but I do not think conditions of that kind would arise.

Q. Is it not a matter of fact if it did happen, if somebody did do it; it is not a usual thing for a man to plant a factory near another now, but it was in former years?—A. It is an unusual thing now.

Witness discharged.

Committee adjourned.

APPENDIX No. 3

COMMITTEE ROOM, No. 32,
HOUSE OF COMMONS,
FRIDAY, April 23, 1909.

The Select Standing Committee on Marine and Fisheries met at 11 o'clock a.m., the Chairman, Mr. Sinclair, presiding.

Mr. MACLEAN (Lunenburg).—I would like to explain before proceeding to the taking of evidence, that we met here last Tuesday to hear Mr. Nickerson and probably that was owing to my representations to you, Mr. Chairman, because having seen that gentleman at Halifax last week I told him that if he were here on that day the committee would be glad to hear him. I, of course, expected he would be here on Tuesday, but Mr. Nickerson showed me a telegram from the clerk of the committee to the effect that he would be required to be present yesterday. That accounts for Mr. Nickerson's non-appearance on Tuesday last and I thought it due to him to make that explanation.

Mr. M. H. NICKERSON, M.P.P. called, sworn and examined.

The CHAIRMAN.—Will you examine Mr. Nickerson, Mr. Maclean?

Hon. Mr. BRODEUR.—Perhaps Mr. Nickerson would prefer to make a statement?

Mr. NICKERSON.—Not at this stage. I think the information you seek could be best elicited by a series of answers to questions. I may ask leave to make a statement later on, if it is found necessary or desirable.

Mr. JAMESON.—Before we enter upon the examination of this witness, I would like to ask whether this will be the last meeting of the committee during the present session or whether there will be any further meetings. My reason for asking the question is that I have on three previous occasions moved that certain witnesses from Digby county be summoned because there has not yet been any witness who has spoken authoritatively on the subject of the lobster fishery of St. Mary's Bay and the Bay of Fundy, and because on the Commission which investigated the lobster question in 1898 there was no representative from that particular district. As there are very special circumstances and conditions affecting the lobster fishery in the district referred to, I think it would be well to have evidence from there. I do not know what the custom has been with regard to the summoning of these witnesses. I am acting in good faith and I have no doubt the committee will afford me the privilege of having witnesses here because their evidence, in my opinion, will be necessary and will be helpful. As a matter of fact if any change were made in the regulations as the result of any action, suggestion or recommendation of this committee, it would only be right and proper it seems to me that every fishing district interested should be represented and heard. I would, therefore, ask whether there will be any future meeting of this committee during the present session and if not whether the matter will be left open until another session of Parliament when I might have the privilege of summoning witnesses from the district mentioned.

The CHAIRMAN.—That, of course, is a matter which is altogether in the hands of the committee. I think it would be very well to consider it. We have had a great number of meetings and heard a good many witnesses. Certainly there are parts of the coast that we have not yet heard from. A large number of names have been sent in, many more than we will be able to possibly reach during the meetings that we could have in the present session, but my own idea is that it would be better to report our evidence to the House and consult our friends during the recess, and possibly make arrangements for taking further evidence, and not make any definite recommendation until we meet next session. I would like very well to have the

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views of the committee, if you think there is a large enough meeting this morning, so that we could have an understanding.

Mr. JAMESON.—That is my opinion and I would like also to say that I do not think it would be well advised to make any recommendations hastily. Furthermore I think it is only right that the different localities interested should be heard. There have been a great many witnesses from the east. There have been four from Prince Edward Island alone, two of them at least practically covering the same territory and it seems to me only fair and right that each member of the committee who has witnesses that he believes can give evidence which has a direct bearing on the case and which will be of value to the committee, should have the opportunity of having them summoned. The minister was good enough to say to me when I moved for witnesses on a previous occasion, that those witnesses would be summoned and I would like to have the assurance, in case the committee closes its proceedings for the present session at this meeting, that on a future occasion I shall have the privilege referred to.

Hon. Mr. BRODEUR.—I think that before we make a report to the House, even in regard to the evidence already taken, there should be a meeting of the committee to discuss between ourselves what should be done in connection with the work in which we have been so far engaged and as to what action should be taken in the future. I would like the committee to consider whether we should not obtain permission for a sub-committee of this committee to sit during the recess. I do not know whether such a thing would be practicable or not but that is a question that we might discuss after Mr. Nickerson's examination is completed and find out whether it would be advisable to have such a sub-committee composed of members from the Maritime Provinces who would be willing to continue the investigation down there during the recess. That is a matter that we might discuss.

Mr. BRADBURY.—The investigation might be conducted in the Maritime Provinces?

Hon. Mr. BRODEUR.—Yes, I do not want to discuss the matter at this stage; it is simply a suggestion I throw out. We might discuss all the different features. I understand that the district which Mr. Jameson represents has not been heard from and it should have a hearing before we close our proceedings.

Mr. JAMESON.—With that understanding I am satisfied and I thank the minister very much for his statement.

Mr. FRASER.—I think there should be some method of choosing witnesses who are to be examined by the committee. We have had witnesses who came at considerable expense and threw very little light on the situation. Witnesses have come here and given evidence that has not helped very much and I think, as the minister suggests, that some method should be adopted in summoning the parties whose evidence is desired. As the minister said at a earlier stage of these proceedings, the members from the different provinces should get together and choose those witnesses whom they think will give the best evidence.

Mr. WARBURTON.—There would be no use in summoning witnesses here if they were all of one opinion, we want to get men of different opinions in order that we may be able to arrive at a proper conclusion.

By Mr. Maclean:

Q. Mr. Nickerson, I believe you are a resident of Shelburne county, Nova Scotia?
—A. Yes.

Q. You have always been interested in the lobster business?—A. Yes.

Q. I mean both as a student and in the practical working of it?—A. I was about six years in the employ of the Portland Packing Company who conducted some very large canning operations in Nova Scotia.

Q. That has been your practical experience?—A. Yes.

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Q. And the particular place in which you live is a section engaged in the lobster business?—A. Yes.

Q. And the lobster fishery is an industry which has always been under your observation one way or the other?—A. Exactly.

Q. You were on the Lobster Commission, I suppose that is the proper term for that Commission?

Hon. Mr. BRODEUR.—You mean the Commission of 1898?

Mr. MACLEAN.—Yes.

Hon. Mr. BRODEUR.—That is the proper term for that commission.

By Mr. Maclean:

Q. The evidence given before that Commission was reported in 1899?—A. Yes.

Q. In order to start you on this inquiry, Mr. Nickerson, I might mention that there were four or five debatable points in connection with the lobster fisheries upon which the witnesses appearing before the committee during the recent sittings have given evidence, and speaking generally these were: The season, the size limit, the protection of the seed lobster, the value of hatcheries, and the matter of issuing canning licenses. I think in a general way this includes about the scope of our inquiries so far?—A. These are all considered very important points by those who are engaged in the industry either as fishermen, as cannerymen or as shippers.

Q. What have you to do with the Fishermen's Union, are you a member of that union now?—A. I am only an honorary member, I introduced the Bill which led to the Act providing for the incorporation of these small associations, each one of them independent of the other, but holding a general council once a year.

Q. Now, Mr. Nickerson, you live in the western district of Nova Scotia—

Hon. Mr. BRODEUR.—While you are on that subject, Mr. Maclean will you be kind enough to ask Mr. Nickerson to give us, not in detail but in concise form, a statement of the objects which this Fishermen's Union has in view?—A. The object, as set forth in the Act is to—

Mr. MCKENZIE.—In what year was the Act passed?—A. In 1905. It is in the Nova Scotia Statutes of 1905. The object of the union is to collect and disseminate information by means of regular meetings of these stations, as they are called, information bearing upon every improvement in connection with the industry, that is the most improved and effective methods of conducting it, the best way of packing lobsters for export alive, which is quite a fine art in some places, all information concerning markets for the live export and some incidentals of that nature; also I think it is stated as one of the objects in the Act that there shall be an effort made right along to put the government or rather the department dealing with this particular industry, in possession of all facts that it seems necessary or desirable should be known from time to time. That was one of the objects in the incorporation of this association.

By the Chairman:

Q. How many members are connected with the union in Nova Scotia?—A. Each locality has an association called a 'station,' and they are numbered in the order of their organization, without respect to the locality.

Q. What is the number of stations?—A. I think they number forty now.

Q. And with a membership of?—A. The membership varies from fifty to 150 in the different stations.

By Hon. Mr. Brodeur:

Q. Is there any central organization?—A. There is only this annual conference. In the first place—

Q. Composed of the chairman or presidents of these different stations—A. The delegates are appointed at the district meetings—Nova Scotia is divided into three inspectional districts, No. 1 including Cape Breton, the four counties in Cape Breton.

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Q. Divided the same as it is for the federal?—A. Yes.—Well now, we take advantage of that for greater clearness in administering the affairs of the union and in holding meetings that is to say, there is one annual meeting for the district; that annual meeting will be attended by delegates elected by each of the stations situated within that district. Take No. 3 district, for instance, There might be five stations organized and in operation in that district, and each of these five would be entitled to appoint and send to the district annual meeting two delegates, and the same rule was followed with regard to the yearly convention which always takes place in Halifax. But the delegates to the central convention were appointed at the district annual meetings, so that from the meetings and discussions of the individual stations up to the central convention in Halifax they become aware of just what the views and opinions of each of our different sections or stations that sends delegates may be upon any subject.

Q. When you speak of the fishing industry, the live industry, you do not mean to say that this Fishermen's Union simply deals with the lobster fishery, they are engaged in considering the whole fishing industry, are they not?—A. That is quite true, they consider the whole fishing industry, but as the lobster fishery is among them one of the most important, they devote considerable time in discussing the different aspects of that question.

By Mr. Maclean:

Q. What is the lobster season in Western Nova Scotia?—A. From December 15 to May 31.

By Mr. McKenzie:

Q. While you are on the subject of the association, are the proceedings of that annual meeting published in blue-book form or are they reported to the department?—A. They have annually published the report in the Halifax papers; it is the practice usually to report from day to day, and the meeting as a rule occupies about three days, they just give the press a condensed report and then at the close, the whole of the transactions are reported by the secretary and, in a sort of condensed form, from their own minutes and proceedings which are filed by the secretary of the annual convention.

Q. I simply thought that if we could get the benefit of their reports of the proceedings at the annual meeting it would be of assistance to the department and to this committee?—A. I think I can furnish you with a copy covering a great part of the proceedings last year. I could not do it just now but I could produce that information to-morrow if it were necessary.

By Mr. Fraser:

Q. Are these institutions alive and in good condition still?—A. Some of them are not quite so militant as others.

Q. Do the fishermen find them satisfactory?—A. Yes, they have been productive of good in a very marked degree but that depends upon the locality in a great measure.

Q. Is any fee paid by the members of these organizations?—A. Yes. By their Act of incorporation each station has the power to make certain by-laws and one of the by-laws refer to a fee, but this fee is fixed at a rate which varies at the different stations. This is done to meet requirements. If they have to pay a very high rent for a hall they have to make the yearly fee accordingly.

Q. Have these organizations made any recommendations of any kind to the department?—A. Yes, frequently. I may say, Mr. Chairman, that a deputation of them appeared at one time before the Tariff Commission which conducted an investigation a few years ago and made a presentment of their case with reference to the tariff on rope. That was one occasion. I have attended, I think, every one of the annual conventions. If I recollect aright they have always made a sort of summarized report bearing on the most important subjects discussed and submitted a copy of it

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to the department if they wished any action to be taken upon it. That has been the custom hitherto.

By Mr. Maclean (Lunenburg):

Q. What is the season in the district in which you live?—A. From the 15th December to the last of May.

Q. And that season includes the county of Hants?—A. That includes the seven counties west of Halifax.

Q. That includes Hants and Lunenburg?—A. The boundary line is west of Hants county.

Q. The season begins on December 15, is that right?—A. That is right and extends to the last day of May making five and a half months in all.

Q. What is your judgment as to the length of the season in that district, as to whether it is too long or too short?—A. There seems to be a general agreement that the duration of the season is about right considering the fact that fully one month and a half, viz.: February and part of March in each year, are almost wholly unsuitable for lobster fishing owing to the rough weather. There is not much inconvenience resulting from ice on the coast, but the winds during that month are rather too high for the successful prosecution of the fisheries.

Q. I presented a petition to the Marine and Fisheries Department from certain sections of Lunenburg county asking that the season be made from March 15 to 1st June, what would you think about that?—A. That would be the entire season for the year.

Q. Yes?—A. Well the western people would consider it altogether too short.

By Hon. Mr. Brodeur:

Q. What do you mean when you say western people?—A. I mean Shelburne, Yarmouth and Digby

Q. And Queens county?—A. And Queens county.

By Mr. Maclean (Lunenburg):

Q. Would not the shortening of the season tend to eliminate, to some degree at least, certain objections or troubles in connection with this industry such as the destruction of seed lobsters and the catching of small ones?—A. The destruction of the seed lobster is an evil which is scarcely known in the portions of the province where they have access to the American markets. The fisherman understands well that if he undertakes to remove forcibly ova from a lobster, that lobster will die in transit and that she will not only be worthless when she reaches Boston, but that she may infect others in the same package. In all my connection with the lobster industry and my observation of it in these late years I cannot say that I ever knew one case come under my notice.

Q. Yes, I quite understand that but would the canner be in the same position as the shipper of live lobsters?—A. The canner gets nothing but the illegal lobsters, that is the cannery in our part of the country exist by sufferance you see.

Q. Are you serious in that statement?—A. Yes, very serious indeed.

Q. It is a very serious statement?—A. I am making the statement. The truth must be adhered to strictly and that is just what I am doing.

Q. It is a very serious charge?—A. Very serious but we are prepared to make it on all occasions and in all places.

Q. As long as it is true?—A. As long as it is true.

Q. Do you mean to tell me that the canner does not receive any legal lobsters at all?—A. Only in places where it is impossible to export—

Q. Illegal lobsters?—A. Impossible to export the large ones. I think I will have to ask permission to make this point a little clearer otherwise this brief statement might leave the subject somewhat confused in the minds of people who are not conversant

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with all the circumstances. The lobster business in western Nova Scotia is, in the first place, a commercial enterprise as it is more of an industrial enterprise in the east. In order to reach the Boston markets small coasting steamers ply from place to place and collect the lobsters to be carried to the port of transshipment, which is Yarmouth. These lots are the catches of the fishermen and consigned by themselves either to commission men on Atlantic Avenue, Boston, or else sent directly to the wholesalers there. Now wherever that facility of shipment is afforded, the producer invariably takes advantage of it and sends forward his crate, or crates, as the case may be. It frequently happens that some sections although not very far off, not more than 20 or 30 miles away, are so situated geographically that they cannot forward their crates. In that case they are compelled by circumstances to sell to the factories. Now then that evil which is complained of, namely denuding the female lobsters of the ova, may take place in such cases, because the large lobster is put in with all the other sizes and goes to the cannery, and I suppose that the canner—I have acted in the capacity of receiving agent at one of these canneries myself, and I never could undertake to be responsible for the female lobsters that had been treated in that way, and I am speaking just now of the days when there was no live export trade; but in all these other cases where they had ready access to the Boston market, the fisherman has no motive, no incentive to remove the eggs, because he is not carrying his lobsters to the factory. The proprietors of the factories have a number of little steamers and gasoline launches and sail craft and they are all around there, the competition is very sharp; I have witnessed the operations in Westmoreland county, N.B., and I never knew of any part in this province where the competition among the packers was so sharp as it is in the west, a fact which will help to explain in some degree why they are obliged to take the undersized lobsters.

By the Chairman:

Q. But you have not made it plain why the fishermen would not take the seed from the berried lobster and throw it in with the illegal lobsters to sell to the packer?—A. Well, you see he knows he is only going to get two or three cents for that, and the fisherman will reason that it will not be worth one quarter as much to him at the cannery as if it is sent to Boston, so he will not bother about it, he will put the lobster back in the water. It may be days and days, according to where this fisherman is located, before a smack comes around, although those boats manage to visit most of the stations quite often, and if the fisherman attempts to keep that denuded lobster long, it is liable to die, and the man who receives it at the factory would at once notice any unusual sized lobster taken there. I want to inform you that a lobster when treated that way is scarcely any good for canning purposes. I think that the practical canners who are here will bear me out in saying that it is not a very paying proposition to boil and can dead lobsters, and any female lobster is liable to be dead if the seed has been taken from her.

Q. That statement was contradicted by some other witnesses who were here. It has been stated by other witnesses that it would not kill the lobster to remove the seed?—A. Well, I could not speak with authority on the subject, since I never saw it done; but I have examined very closely into the lobster industry, and I am of the opinion that when the eggs are ready to be detached naturally they may be removed by hand without much injury to the lobsters certainly, but a short time after they have been extruded, you could not peel them off without taking off some of the filaments, and I do not know that you could do it without removing some of the swimmerets, the little legs to which the eggs are attached. It is the general opinion among fishermen that the lobster would not survive very long after the eggs have been removed from them by scraping, or by any other process.

By Mr. Maclean:

Q. I think every one is disposed to agree with you that in any section of the country where they ship lobsters alive you have better enforcement of the regulations than in other places?—A. Yes, that follows.

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Q. I think that is right, there is no doubt about that.—A. That seems to be the best way for the enforcement of the law, although no doubt there are some irregularities.

Q. In your judgment the canneries are an inducement to the violation of the lobster regulations?—A. I make the statement in this way. I say that such is the fact, that they do take illegal lobsters, and I suppose that your inference may be fairly drawn. That is all I can say.

Q. Could these lobster canneries carry on their business and at the same time live within the law?—A. I think not.

Q. Do you think it would be better to have them extinguished, put out of business altogether, and have the law observed?—A. I would not give too hasty a judgment upon that; it is a subject I have thought of a great deal; of course I am bound to have due regard for everybody that has anything invested in the business, the fishermen as well as the packers; if it were a choice between the extinction of the lobsters and the extinction of the canners I would not hesitate a moment.

Q. You would stand by the fisheries?—A. I would stand by the fisheries. But I would say that one phase of the subject which strikes me is that the taking of illegal lobsters involves a terrible economic loss. About three years back the Massachusetts law reduced the legal size, of the lobster from 10½ inches, which was then the regulation size, to 9 inches, our present regulation, and that change led to a very great increase in the export of our live lobsters; because we can go into the Massachusetts market with a very much smaller lobster than we could before. Now then, all the lobsters under 9 inches sell for I suppose about two cents at present.

Q. That is to the canner?—A. Yes, about two cents apiece. Now we will suppose that we have a lobster which is under 9 inches for which the fisherman would get two cents at the cannery; that lobster will measure more than 9 inches next year, and it will be worth at least seven or eight cents to him then. It always struck me as a point worth considering, apart from the question whether the lobster fishery would continue or not, that here we are cropping the field before it is ripe; we are selling these immature lobsters. We are not only cutting off any chance for them to breed, that is unless they escape us, but we are selling them before they are worth anything. We have made some very close calculations going to show that the loss from selling these immature and small-sized lobsters must be very considerable.

Q. Your statement leads to this conclusion, Mr. Nickerson, that the canning business tends towards the destruction, ultimately at all events, of the lobster industry?—A. I think that is unquestionable, in fact I may say that many canners admit it to me, many of them have admitted it; but they say. We are in the field and we are not quite willing to give it up.

By the Chairman:

Q. Is it profitable?—A. I do not think it is at the present time. I am frequently in conversation with these canners—they do not regard me as an enemy by any means—and that is the statement they make with regard to the condition of things connected with the industry; they also refer to the market and they invariably say that former years were better and some of them have been candid enough to say that the small lobsters which they are in the habit of canning has done them injury in the market, for the reason that while the meat may be just as good for table purposes it certainly does not look like it, when the can is opened. It is too 'scrappy.'

By Mr. Fraser:

Q. Which was in the field first, the cannery, or the live lobster industry?—A. The cannery..

Q. And you say that the live lobster industry is now driving the canner—A. In the west.

Q. Out of business and that it is spreading along the coast towards the east of Nova Scotia?—A. Yes, it is.

By Mr. McKenzie:

Q. Your observation about the canner has only reference, as I understand you, to the locality where the exportation of live lobsters prevails?—A. Yes, principally so but from the information we obtained through the meetings of the Fishermen's Union the same thing I believe holds good to a large extent through the province. I refer now to the taking of all sizes.

By Mr. Maclean (Lunenburg):

Q. Would that not lead us up to the next step, Mr. Nickerson, and that is this: does the catching of the illegal lobster, by that I mean the lobster under size, tend towards the destruction of that particular fishery?—A. I suppose so.

Q. I might say that you often hear the argument that it does not destroy the industry to catch lobsters of any size. Some people even claim that the undersized lobster is the one that should be taken and the lobster about 10 inches in size should be allowed to live—you hear various arguments. Give us your own views as to that?—A. I have heard that. I have had occasion to debate that question to some extent. That theory is held by Dr. Fickl of the Massachusetts Fisheries Commission, but I never could see that it was based on the right principle at all. I have been in correspondence with some experts on the subject who hold the same view, or profess to hold it. I asked if they would apply the same principle to the raising of poultry or sheep, if they would propose to kill off or dispose of the young before they reached the stage of reproduction and they did not seem to think it would be the proper thing. This would be the case if you were breeding any other kind of animal. I never could see why a distinction should be made in the case of lobsters. We could go, as I have done, into the details of the question and figure it out with almost mathematical certainty. We know about the number of eggs which the female lobster bears at a certain size. Then we calculate for the ova which do not come to maturity, or is destroyed by fish and from various other causes, and we find that a few of these breeders would stock a very large area. On the other hand, we recognize the fact that if we invariably took all their young and killed them off, that in a few years complete extinction would take place. There would be nothing to replenish with. That fact confronts us at once. But those who contend for the other view say, of course, 'we could not catch all the young.' It is not the fault of their system if they do not; they are after them anyhow.

Q. Then you believe, Mr. Nickerson, that it is possible to destroy the industry by catching the smaller lobsters?—A. It might be difficult in some places to extinguish it altogether—

Q. I mean generally speaking?—A. But you would get it down perhaps to a low point. Some sections of the shore are more favourable to the breeding and the feeding of lobsters than others and in these cases it takes very persistent and very energetic fishing, even during the long open season, to perceptibly diminish the catch. But I do not know that we would be justified in drawing conclusions from that because it may be a drain on other places. It is an established fact, I believe, that on any area where a number of traps are set and where bait is being continually put into the water, that they draw from quite a distance on either side, so that where there is continued fishing, where the water is thronged with traps and where the fish seem to hold out, the catches are maintained at about one uniform amount all through the open season. But that does not quite justify us in the reasoning that it is the natural supply but rather, like some other species of fish, they are coming from a distance and may be decreasing somewhere else very rapidly.

Q. Then I understand you to believe in the gospel of enforcing the size limit?—A. Yes, that is about the way to put it

Q. You believe in that?—A. Yes.

Q. Now taking Nova Scotia as an illustration there are several districts in that province, perhaps four?—A. Three.

Q. Three districts?—A. Yes. Three large inspectorial districts. Excuse me, you refer now to the divisions made for the administration of the law?

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Q. Yes.—A. I beg your pardon. I thought you were referring to the inspectoral districts.

Q. There are four districts?—A, No, six.

Q. You were a member of the commission which recommended the division of the province into these districts?—A. Yes.

Q. Are there good reasons for the division of the province into districts which vary the size of the lobsters to be taken, as well as the season for catching them?—A. With regard to the west, there are the best of reasons. The market for which they are engaged in fishing is best in the fall. That is, taking in the latter part, if not the whole month of December and part of January. Now that is the period in which the fishing can be prosecuted with the greatest success because with us the hard winter has not set in, I mean the blowy season. That is one reason why it should begin then. About mid winter or in the month of February there is a temporary suspension, although most of the traps are left set in the winter. The work is resumed along about the middle of March and then the market is very buoyant, the weather is turning finer. About the last of May the weather becomes so warm that with the ordinary transportation we have in Yarmouth the lobsters are not liable to reach Boston in very good condition, and for these reasons, the season has been timed to begin on the 15th December and terminate at the last of May. It is a prevalent opinion now in the west that it might be advisable to take off about 15 days from the latter part of the open season, so as to give us a chance to prepare for the hook and line fisheries which come on in the latter part of May. Then there is the effect of the presence of a great number of traps thronging the coast for a distance of almost 100 miles and extending far off shore. From Yarmouth cape past Cape Sable, a distance of 40 miles, it looks like a lumber pile drifting. That is exactly what it would remind you of. These are the buoys and they say that the absence of spring mackerel from the western part of Nova Scotia for a number of years past is entirely owing to that fact. I do not know if that is correct, I only know that the two things happen in conjunction. Whether one is the cause of the other is not apparent, but it looks as though it might be. Therefore the practical fisherman, the men in the business are just now discussing whether it would not be better, not only for the lobster fishermen but for all classes to have that shortened up fifteen days. It would give the mackerel a chance to come in, and afford the fishermen an opportunity to be prepared for the hook and line, or net, fishing as the case might be. But otherwise for the last ten or twelve years that this regulation has been in force, covering that extensive territory, it has been a very popular one and remains so even at the present day. We have consulted all our stations and there are only one or two on that coast through from the east that say they think it ought to be changed a little. Otherwise they are perfectly satisfied with the law and have always been.

By Mr. Maclean:

Q. Do you justify the time of the open season in the other districts of Nova Scotia? Do you think they are all right?—A. As far as I am able to judge, the members of the Commission to which you have referred, namely, that of 1898, went over the evidence together and discussed all these circumstances very fully and while I have no personal knowledge of any of those districts to the east, except that portion of New Brunswick to which I referred a little while ago, from the arguments which were adduced, and from the evidence which had been taken while we were holding our meetings, I was convinced that these are about the best recommendations that could be made. One unfortunate thing, from my point of view, was that these sections were rather short, it was only a hundred miles in some cases before you came to the divisional line, and I tried to obviate that in the divisions which were supposed to be subject to my recommendation—I do not know why it was, but I had thrown upon me the whole coast from the State of Maine boundary to Halifax Harbour and I actually made the recommendation for the whole of that coast, and so far as I know there was very little fault found with it. Afterwards some variations were made in the Bay

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of Fundy, or more particularly speaking in St. Margaret's Bay, but the difference was not striking.

Q. Well then, you think the conditions justify the difference of season for the different districts?—A. Certainly; the people of Cape Breton and some other parts of the eastern shore cannot make use of the winter season on account of the ice; it is a necessity that their season should not coincide with the season in the rest of the province because we are never hampered to any extent, even in the most severe winter, with any ice on the western shore. The high winds in that quarter very greatly retard the fishing, but do not render the season useless.

Q. I want to ask a question now, it relates back a bit perhaps, you say that the canners are canning illegal lobsters, in fact Mr. Baker admitted that?—A. Yes.

Q. He practically stated that, but the question is should the law respecting the size limit be changed so as to make canning a legal business, or should the canner go out of business?—A. I do not see how a compromise can be made, because as far as western canners are concerned, even if the size limit should be reduced say to 7 inches their receipts would only be increased by just the number of lobsters included between 7 inches and 9 inches, which would be a very small proportion of the whole catch, and I do not see that any packers could survive on that. In fact I know they could not. They might have had a fighting chance as long as the Massachusetts size limit remained at 10½ inches, but just as soon as the limit was reduced to the same size as the regulation enforced in Nova Scotia, the natural tendency was to export all lobsters from 9 inches upwards and they did it.

Q. Then, Mr. Nickerson, in conversation with me the other day privately, at Halifax, you mentioned a point that I think out to be brought out here. You privately stated to me that the point of division between the different districts should be at a place which is not a shipping point, because lobster men catch lobsters now at the end of one division, and go over into the other district with them, thus extending their operations beyond the proper season. I wish you would make that clear, because I thought it was a good point?—A. When the Commission of 1898 were about ready to make their recommendations, I thought we should provide if possible against one slight abuse of the law which we had noticed before, and it was this: if a divisional line came near a port of transshipment, we will say Yarmouth or Halifax, the season on the east side would end on the first of the month and on the west side it would end a month or a half a month later. You can readily see there would be a loophole and that the parties from the east side could bring their catches in, after their legal season had closed, and put them on board a smack or steamer belonging to the territory in which the season was still open and send it right in there for shipment. Now, I am going to state that this does happen.

By the Chairman:

Q. Where?—A. In Yarmouth. For that reason, we made that recommendation, and if reference is had to the report of that Commission, it will be found that the line dividing the eastern shore of the peninsula of Nova Scotia from the western shore was run straight out from Halifax harbour to Georges island so as to strike the Fairway buoy, and the reason was that the mouth of the harbour was very wide and we thought there would be no transgression across that line. At that time, it may be stated, these little gasoline launches and steamers were not so much in evidence as they are now, and while it was difficult to bring the fish across with a sail boat without being detected, and without a great deal of trouble, because the distance was quite great, with these small launches they have now they can make the trip quickly and they can make it in a night, so that it is quite easy to get across the line into the adjoining district. I might illustrate it by giving a case in point that I know of, and it is one case out of many. It occurred two years ago. Now the season in Yarmouth and Shelburne counties closes on the last day of May, as previously stated. Notice was given and all operations ceased; as far as could be observed the regulation was religiously kept. After that there was a report that a great shipment was coming in

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from the westward where the open season continued about half a month longer. A little investigation revealed the nature of the transaction and one of the men engaged in it told me. He said: 'I was out here on an island and I was included in the Yarmouth territory. I simply had some lobsters stored up ahead, and when our season ended on the 31st May, I ran quite a lot up to St. Mary's bay, where the open season would last for 15 days longer, and I put these lobsters aboard a sailing smack and they were sent down, and shipped as having been caught in the allowed territory.' He also said: 'More than that, while the smack was going into Yarmouth harbour she hove to,' and I think he said they took a large number of crates on there. When the boat arrived at the wharf in Yarmouth there was no way for the overseers to detect the imposition at all, they simply took these lobsters as having been caught in Digby county while in reality most of them had been sent across, after the season closed, from Yarmouth county. Now there are some pretty well authenticated reports, although personally I cannot answer for their correctness, concerning the same occurrence in Halifax harbour. Really there is not quite so much to prevent it there as in St. Mary's bay, because the distance is not so great and the temptation is very strong.

By the Chairman:

Q. Why has Digby county a separate season?—A. I cannot say. I can only state Mr. Chairman, that we made an unreserved recommendation and the minister at the time, Sir Louis Davies, looking over our recommendations as we handed them in spoke very highly of our work. He said he believed that any territory under one law as to size limit and season should be made as extensive as possible, but he did not like the idea of these small divisions. Now that is the recommendation we made and I think it was understood in Digby county that it would be carried out. We discovered afterwards that it was not, and that an exception was made extending from Digby Basin, or Digby Strait more properly speaking, to somewhere near the boundary line between Digby and Yarmouth county. Afterwards these people agitated in some way for a change. I was not quite so interested in keeping run of what they did up here but I was very much disappointed and somewhat grieved to see that our recommendation had not been carried out.

By Mr. Maclean (Lunenburg):

Q. There is a different season in Digby county is there?—A. There is in part of it.

Q. Is the season much longer than in the west?—A. Yes, it is longer.

By the Chairman:

Q. To the 15th June?—A. That is half a month.

By Mr. Kyte:

Q. Does the season open at the same time?—A. I think it opens at the same time and there is no restriction in that way but the dividing line crosses Briar island and on one side of the island fishing is legal at a certain time and on the other side it is tabooed.

Q. When does the season begin, in January?—A. I think it begins on the first of January.

The CHAIRMAN.—No, the 6th.

The WITNESS.—The 6th is it?

By the Chairman:

Q. Do you know any good reason why Digby county should be under a separate season?—A. I do not. I cannot see why it should be. I saw at the time some little disputation back and forth but I never followed the arguments closely enough to make myself acquainted with them.

By Mr. McKenzie:

Q. Is Yarmouth your only point of transportation?—A. For the west?

Q. That is to the States?—A. The only one to the States from the west.

Q. From how far do they carry the lobsters to that point?—A. That will extend from Queens county, and I think Lunenburg also, to Annapolis county including the whole county line.

Q. How are the lobsters transported?—A. By coasting steamers and by railway. Sometimes by both methods and sometimes in part. For instance a little steamer will gather up lobsters from four or five different points in Queens county and carry them to the Lockeport station and then they are sent forward by rail to Yarmouth and shipped by the Boston boat. That makes three transfers. It is an awkward and not a very satisfactory way but it is the best they have.

Q. What sized receptacle is this crate?—A. The standard crate is supposed to contain 140 pounds but the shippers have now discovered that by very careful packing lobsters can be sent forward in just as good condition, and even better, in a crate containing nearly 200 pounds thus saving that much freight on it.

Q. Who owns the crate as a rule?—A. The fishermen. With very few exceptions they ship on their own account.

Q. And does the crate come back?—A. It is supposed to. Sometimes the crates are missing. Then an outcry is raised and there is a good deal of newspaper correspondence which makes the transportation people look around. I have seen some Clark's harbour crates in Halifax and other places, having evidently gone astray. They are returned as empties I suppose, with no freight on them and they are not a very paying class of commodity. You see they pay nothing coming back, so the steamboats and railways are not very careful of them. Still they cost the fisherman a dollar a piece.

By Mr. Maclean (Lunenburg):

Q. The fact that Digby county has a little longer season tends, you say, to a violation of the law in the territory which is immediately contiguous to the boundary line?—A. Yes, it certainly does that. The violations are all by people that belong to the other county. Because it is a legal season with the Digby county people, the other people take advantage of it by going across the line and coming back under false pretense.

Q. Does it create dissatisfaction in the other counties, the fact of Digby county having a longer season?—A. I never heard of any pronounced dissatisfaction except from the east. The shippers from Cape Breton say: 'It is a very unfortunate thing your lobsters from the west should go into Boston about the time our season opens and we are beginning to ship. There is competition established at once and prices are apt to come down.' That was always the contention of the eastern shippers and there was some little truth in it, until the Boston dealers provided themselves with large floating cars, as they are called and preserved alive the late receipts for the fall market. That is the custom now.

Q. What are your views as to the restriction of licenses to canners, do you believe in an unrestricted issue of licenses or are you in favour of restricting them?—A. I am not in favour of such restriction, because I think the small capitalist, or the small canner, is in a position to put up just as good a pack as the larger one. In the first place, the proprietor is the manager and he is always on the spot and that is worth a great deal in my experience. Also because there is no child labour, because in several factories I have in mind now, they are canning mostly their own catches. They are acting on the co-operative system lately, and they put up lobsters which they themselves have caught. There is ample time to clean down everything and to see that the meat is packed all right. In no case do the receipts of one day lie over till the next—a thing that is apt to create mischief in packing, because if you allow the lobsters to lie after they have been cooked or steamed, even for a few

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hours, without being broken up, the meat is apt to be inferior. In the next place, the larger factories have to pay a fleet of steamers or gasoline launches, and at every fishing station they have an agent who gets about \$50 a month. There is a large sum consumed to make the business go, but in regard to some of the small packers we have men associated together and most of them supply the lobsters. They cannot afford to have a 'counter' here at this island or at that other place, but they offer the fisherman a little premium. They have this excellent plan, they say, 'we will give you twenty cents a hundred weight more than the other packers give if you will bring your lobsters to us.' This is a benefit to the fisherman and to the packer of small means as well, because he can actually save on it as he has not the heavy expense of employing help on all the islands and a crew to run his launches.

Q. Would not a license to can be an advantage? Surely the average lobster fisherman would not know how to pack lobsters?—A. In the first place, I never knew that was the object of the restriction, because if a man came along with a million dollars to fall back on he could not get a license under the present system. It was not stated that the object of the order was to secure competency in canning. But to answer your question—you can readily perceive that if things are in the condition I have attempted to describe, no fisherman wants to go into packing, while the packers are talking poverty and saying 'we can't hold out.' We know they cannot. They are getting all these small lobsters, and we know the market is not in a satisfactory state, so that I say the packers are in a precarious position. They are existing on sufferance. There is not one individual in all the western territory that would care about leaving the fishing, where he can earn from \$10 to \$15 a day in the season and undertake packing with the sword of Damocles hanging over his head all the time, but not falling, and then at the end of the season, have nothing to show for all his work. So that while there is not the least incentive for any enterprising fisherman to enter the field, the restriction on cannery licenses is regarded as a very unwarranted interference with the natural rights of the citizen, and it has been the cause of a great deal of discontent in the west, although they have never come up against the difficulty practically because they do not want to engage in canning, but I have heard many of them say—I am speaking of the fishermen—'Here I have a lot of boys, and they are good fishermen and have been employed in the canneries and have the name of being first-class men in every way—good sealers, and capable of taking charge of every part of the work. Now, if I want to go into canning, it is pretty hard that I cannot do so. I could undertake the cutting of boneless fish, my boys go out and they bring the catches to land, and we need not say anything to anybody. But we prepare and send them to Boston, where they bring two cents a pound more than the regular market price.' Now this is actually being done as regards boneless cod, by a number of fishermen in Yarmouth county, and the American Consul in a late report to his government, dwelt at length upon that feature of the industry and said he would be glad if something of the kind was done in the United States. This has been accomplished by the individual fishermen, and certainly it requires just as much care and experience to put up their lily-white boneless fish as it does to pack lobsters.

Q. You must look at it from the standpoint of the buyer and consumer who can look at the boneless fish before he buys it, but he cannot open the can of lobsters.—A. If the lobsters are not properly packed it must arise from rush of work or from want of honesty. I do not know that one class of men is any more honest than another:

'When self the wavering balance shakes
It is rarely right adjusted,'

I should say that at the time when there was no restriction and no embargo on these licenses—

Q. There was such a time, was there?—A. There was certainly such a time, and I never heard any complaint of an inferior pack. But, Mr. Chairman, I may tell you what I do know, that some of the established canners in Nova Scotia, some of the men who have the largest amount of capital invested in it, have been in the habit in

years gone by, and not so many years at that, of hiring a few irresponsible people to go out to the Islands and boil the lobsters there, to can the lobsters in a cave—yes in the Cave of Adullam, and bring them back to the mainland and include them in the next season's pack, and that pack has gone abroad and the market is satisfied, and the foreign people eat them with relish, and do not say anything about it.

Q. That is a new thing, how far back does that go; when did that happen?—A. About eight years back or less.

Q. Is it only eight years back that there were restrictions?—A. Yes. I hope, Mr. Chairman, I am not wandering too far, but the subject you see is quite an extensive one and the temptation is to go into it too deeply, but the occasion will hardly allow of that. With respect to Mr. Maclean's question, which I am glad he asked, it dates back I think about eight years, and I recollect that when we came here, on that Commission, which has already been referred to so often, a series of questions were put before us, printed questions, and we were required to give written answers. That same matter was put in one of the questions, and if I remember correctly—of course it can easily be verified by turning up the files of the department—it said: 'Would you recommend the discontinuance of issuing lobster licenses in the interests of the established canners.' And I think my answer was the first to go down; I said: 'No, not by any means, I am not here to work for anybody's particular interest but for the good of the public and for the preservation of the lobster,' that is what I said. Not in the interests of any established canner, or of any established fisherman, but if such a regulation were necessary in order to preserve that valuable industry to our country, then I would subscribe to it readily. We debated the matter among ourselves for a little while and we came to a unanimous conclusion and all hands put down a most emphatic, 'No.' Nevertheless it took place.

By Mr. Maclean (Lunenburg):

Q. So you think there should be no restriction on the granting of canning licenses?—A. Yes. I was very much impressed as to that by the remarks of Mr. Hughes yesterday, suggested by some questions that were asked him. It seemed to him that when an application was made for a license to pack lobsters there should be some inquiry into the ability and the means of that person, or that concern, to perform the work. That has always been my opinion, and when I was asked 'Would you favour the granting of licenses indiscriminately,' I said 'No, that is not quite the point.' We do not want to degrade the business, but we want its benefits to extend and to be as widely distributed as possible. We want to give our young men along the sea-board a chance for industrial employment in their own country, because we know not what the future may have in store for us. I would like the Nova Scotians, I would like the people of all Canada, to remain in their own country; but if these men feel that they would like to can lobsters and are not permitted to do so, they may leave. A time may come when we shall need crews for three or four of the *Dreadnoughts* which Canada is to maintain, and these would be the boys that you would be looking for. I say that I want to keep them at home by every legitimate and lawful means, but at the same time I do not want one interest to be sacrificed and I am glad—very glad indeed—that this committee has undertaken an investigation into the lobster business in order that they may reconcile all interests. And so I say that when an applicant is a worthy and honest man, a fact which could be ascertained I think without much difficulty, when he is competent to make the business respectable, and has got the necessary amount of money and asks to be given a fair trial, nothing seems more reasonable and right than that his application should be granted. It has always been a part of my lobster creed that there should be an investigation of the packing factories, great and small, and if it were found that one man was in any manner neglecting the sanitary rules in putting up this product, or making an inferior pack, he should be judged by his works alone and treated accordingly. That to me would seem to be a rational way of dealing with the question.

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By Hon. Mr. Brodeur:

Q. Do you not think it would be rather difficult when a man has spent a large sum of money in building and equipping a lobster factory to stop him from continuing operations?—A. I do think so if he were a new beginner, but in the case of a canner of long standing I would say: 'You made your fortune in the days when you gave 30 cents a hundred for lobsters. Now the wheel has come full circle and the fittest must survive.' But I do not think anything like that could occur, where a man would establish a factory with a large equipment and be so careless as to the output. Nevertheless, I think that a rigid inspection of lobster factories is just as necessary as in the case of any kind of canned or prepared food. In that way you might eliminate the undesirable element in the canning industry, whether it be the canner with small means or the canner with a dozen factories. I would say: judge them all on their merits.

By Mr. Maclean (Lunenburg):

Q. It would be hard to make an inspection if everybody along the coast was allowed to pack?—A. I fear that I did not make the point clear enough. Everybody does not want to pack. Take Cape Breton, take other counties and they say: 'This is a real hardship. We do not want to can lobsters, but unfortunately there is no competition. There is only one canner within reach, and we deliver all our catches to his shop and he gives us starvation prices.' In fact there is talk of reducing the price again this year and if that is done the fishermen say: 'We must take our traps ashore because anything else will pay us better.' Now in anticipation of that case they say: 'If we only had a license so that we could be a little independent with that man, we might bring him to terms,' and I think so too.

Q. Have any of the Fishermen's Stations in western Nova Scotia applied for licenses?—A. Yes.

Q. Did they get them?—A. Yes, they got them.

Q. Are they putting up a good product?—A. They are. It is rather too early to judge of it, but some has been already sold. They commenced operating one factory about a month, or perhaps two months ago, and so far as can be judged the first output was very satisfactory indeed. It was always a favourite theory of mine that if you want a man to improve in anything show that you have got confidence in him. I said: 'I believe I can take that little section and make self-reliant, enterprising and industrious men of them.' Of course, they were industrious before that but they were so situated that they were obliged to sell their lobsters year after year for 8 cents, big and small. Now when you see lobsters from our locality, only 30 or 40 miles to the westward, bringing 50 cents in the Boston market, it seems too great a difference for such a little distance. Their first step towards establishing a business of their own that is, for live exports to Boston, was to secure the services of a little carrying steamer on the coast subsidized by the local government, which gathered up the lobsters directly from the fishermen at various points along the coast, and thus assisted in forwarding them to the ports of transshipment, which are Yarmouth and Halifax. The fishermen sent all their large sized lobsters there and they showed me the results the next year and instead of 8 cents it was 32 cents a lobster. One of these men, in discussing the matter with me afterwards, said: 'This does not admit of any argument. We can talk and talk and it is cheap, but when you hear the jingling in a man's pocket that is what tells the story. We have got an argument there and we know what it is doing for us.' I think that is pretty good logic. That is the logic of cold coin which after all talks most effectively. They first said, and I admire their patriotism: 'We are a Fishermen's Union, and as such we are not organized to do business, but in order to handle some part of our product to advantage and do it in legal shape, we ought to get incorporated.' They did so, and thus they have put themselves in a good position, they have taken that business-like stand. They applied for a license to pack lobsters, and that license was granted, I am very glad to say, and never in any case that came to my observation was better use made of it. They just said to the neighbouring cannery 'We will treat with you as business men. We do not want to

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go into it as a matter of rivalry, but merely to protect ourselves.' I think there are persons now present who can corroborate every word I say. These fishermen said: 'We do not want to disturb the existing order of things, but we want a living price for our lobsters.' For a time those established canners did seem to be willing to agree to these very reasonable terms and the Union continued to sell them their smaller cull of lobsters, while exporting the large ones to Boston. But there came a season when the profits fell a little short and then they said: 'We must reduce the price.' Now for three years the secretary of that little station had been carrying a license in his pocket and now came the time for him to turn it to account. 'All right,' he said, 'now we will go on and build our little factory.' They did it, to make this story short, and they said: 'We want the services of the best sealer in the land; I said: 'That is right, pay him double wages and get him. Show that you have got the skill, the energy and the means, and that you can make just as good a pack as any one else, and what you accomplish, all the other stations of the Fishermen's Union along the coast will do also.' That business is in a very satisfactory state to-day. The men engaged in it write to me 'Our first output has just been sold and although the market is rather dull, we think we can dispose of all our lobsters at a very good figure, all that we can put up this season.' Now I can see that this principle might be indefinitely extended. Of course in some places the men would need a little more instruction and a little more guidance, but the factory in question, and some others which I could mention, have proved at least to my own mind, that even in the rank and file of fishermen those who show such intelligence, determination and self reliance, are in every way qualified to conduct a packing establishment like that.

By Mr. Kyte:

Q. Excuse me, to get back to the subject under discussion, you made the statement a while ago that every lobster that is canned is of illegal size, and that therefore every license that is granted is in violation of the law, is that the case?—A. No, I should have stated that this principle of observing the law was adopted by every station of the Union. They voluntarily agreed not to take illegal lobsters. I do not know that there was anything in the charter to that effect.

Q. Excuse me, as a matter of fact, you made the statement a while ago that in your district every lobster that goes to the cannery is of illegal size?—A. Yes, with very rare exceptions now. Just let me explain that matter more fully, because I recognize I must be very careful. I must say that in exceptional cases, supposing there is a drop in the Boston market in these 'mediums' as lobsters between 10½ and 9 inches are called, so that it will not pay the shipper to send them there, for that week or for that day the lucky cannery will get them.

Q. But that would not keep the cannery going?—A. No.

Q. Well, will you answer my question?—A. Certainly, will you please repeat your question?

Q. I want to get back to this point, whether you think it is desirable that more licenses should be issued to can illegal lobsters?—A. No, the point is, that these prospective licenses are to be issued to the co-operative associations like the Union, and the first plank in their platform is not to take illegal lobsters.

Q. Yes, we know it is much more profitable to ship the live lobsters, that is the case with the industry in your part of the country?—A. Certainly.

Q. And the canning factories under the circumstances merely consume the lobsters that cannot be shipped away, is that it?—A. Yes.

Q. So that the canning industry is not a very important one in your district, is it?—A. Not very; it is not a lucrative business with us, though quite an extensive one, you know, as to the number of factories.

Q. But while the law remains, you think it is desirable that it should be enforced?—A. I think so; I rather shudder at the moral effect if nothing else, of having a law which is not enforced.

Q. Then if the law is enforced in your district no lobsters can be canned?—A. Except by the small canners.

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Q. But there will be no lobsters, if the large ones all go to Boston, left to can.—
A. This year I think all the nine-inch lobsters have gone to Boston, and while that is the case, these small concerns might hold their licenses in reserve, but if there is a glut, as I have mentioned, then they might can the medium lobsters, wholly or in part.

Q. In view of the fact that the live lobster industry is the great industry in your district, and that they ship the nine-inch lobsters to the Boston market, and under the law there are none left below that, would it not be a good idea to have a close season for canneries?—A. I think so.

Q. But in Cape Breton it is different, we have no live lobster trade there?—A. Entirely different.

Q. Would it not be desirable both in the interests of the fishermen themselves and of the industry generally that the canneries be done away with in your section of the country, and that the live lobster industry be developed?—A. For my part I fully subscribe to a proposition of that kind, which is a businesslike one and we ought to carry that out, both for profit and also as a safe measure for the preservation of these lobsters. Then the inducement to violate the law will be removed.

Q. How far would you think, assuming that this idea took concrete form in the future, how far east should the close district extend, to Halifax Harbour?—A. To the western part of Halifax county at least. I have now in mind some places around Halifax Harbour, Dover, and Sambro, for instance, where the communications with the shipping ports are not very good, and it might be the only way in which they could dispose of their fish. It might be found necessary to draw the line exactly where the inspectorial district line now runs at the head of Margaret's Bay, I think that will answer very well. A close season from the head of Margaret's Bay west as far as the Digby county line might be advisable. I am not particularly conversant with the conditions obtaining in Digby county, but I could see no objection to including that shore also in the close down for canneries, and I think I might venture to say that a proposition like that would be welcomed by the fishermen.

By the Chairman:

Q. Are there not localities in every district on the Atlantic Coast where the transportation facilities are defective?—A. I think there are, they are not complete in any county that I know of, except in the western part of Shelburne county, in all of Yarmouth county, and the southern portion of Digby.

By Mr. Kyte:

Q. And all east of Halifax there are no transportation facilities?—A. There are not many facilities, but still they ship. There are some small freighting steamers.

By the Chairman:

Q. There is a weekly boat?—A. There is a semi-weekly boat in most parts. I know of Harbours in Halifax county and some in Guysborough county where the fishermen have in years past shipped live lobsters even by that defective service, and the results have been very satisfactory indeed, although it involves a much longer haul and heavier freights and there is the danger of the lobsters dying in transit, and to make matters worse for the fishermen, their season extends into the summer, when the weather is not suitable for live exports.

By Mr. Maclean:

Q. The protection of the seed lobster is a debatable point. Do you think it is desirable to protect the seed lobster, or is there any doubt about that?—A. It is of prime importance. I should say the most effective means and the easiest way of doing it, is to give all communities the advantage of transportation as far as possible, because that abuse ceases when they begin to ship live lobsters. It might not be found possible to extend a complete system of transportation all around the coast of Nova Scotia at once; but it would tend to save the seed lobsters. In the west, the large and medium lobsters are shipped alive, but in other districts big and small go together, and if any one chooses to remove the

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ova the lobster goes in among the rest of the lot, and it is difficult for the man at the factory who receives it to detect what has been done. In fact he could not if he tried to. But where you have these lobsters shipped alive, and where the shipper sees that they are not worth one cent to him if stripped of their eggs, but are rather a source of loss in sending them to Boston, there is no inducement to the shipper, who is generally a fisherman, to break the law in this respect. I personally conducted quite an extensive inquiry recently, and I have yet to find a man, with perhaps a single exception, on all that western shore who said he had known in recent years of the ova being forcibly removed from a lobster; it does not pay. I do not know that this is especially to be credited as a virtue, but it has been forced upon us by circumstances and we do not do such a thing.

By Hon. Mr. Ross:

Q. What about the packer?—A. The packer does not get any large lobsters there, you know.

Q. I am speaking of packing seed lobsters?—A. In the west the packer gets only smaller cull, which do not bear eggs and he pays a very small price for them. For the large lobster you may get 25 or 30 cents in Boston, but if the spawn is torn off before shipment the lobster dies in transit and is valueless. At the factory the price is only two cents which impresses the fisherman with the fact that it is better to put the seed lobster overboard and allow her eggs to mature. That, I think, is the reason why the abuse complained of so loudly in other places is hardly known at all in the west.

By Mr. Maclean (Lunenburg):

Q. What do you say as to the value of pounds as aids to the development of the lobster industry?—A. With regard to artificial hatcheries, I am obliged to rely entirely upon the opinion of others because I have not been associated with the people so engaged, but I find by consulting some works dealing on the subject in the United States and Canada that the artificial hatchery is held now to be a very serviceable thing.

Q. What about the Baker pound of which you know?—A. That pound, so far as I understand it, was to provide against the destruction of berried lobsters, and if these lobsters after being captured were put into that inclosure and kept until the fishing season was over and then liberated, I would certainly say that it was a very wise provision, always, of course, recollecting that while in the pound these same lobsters were liable to die or that even the eggs attached to them were apt to become in some manner diseased. From what I heard of that particular pound I would think that it answers the purpose well. The female lobsters bearing eggs are put in that pound. They are caught by the fisherman, brought to the receiver and sold at a price slightly in advance of what the packer was likely to give. The lobsters are kept there, and fed every day and great care taken of them. Then after the fishing season has closed such of them as have not hatched out their eggs are taken and carried off the coast and put overboard. I can see no very serious objection to that, except that you may have the eggs infected while in that unnatural condition, because the very high temperature of the water may hatch out the eggs prematurely. It seems to me that when put overboard the necessity is imposed on these lobsters of crawling in and incubating their eggs, because in cold water in low temperatures, they will not hatch out any more than hen's eggs or bird's eggs will.

By the Chairman:

Q. You stated that the Boston merchants keep their lobsters in tanks?—A. Yes.

Q. In these tanks they preserve the lobsters for a long time?—A. Yes.

Q. Until the spring or fall?—A. Yes.

Q. I understand that these pounds are very expensive? I think Mr. Baker told us that his pound cost seven or eight thousand dollars?—A. I think so.

Mr. VENNING.—Thirteen thousand.

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By the Chairman:

Q. We cannot expect to have a great many of these on our coast. Do you know of any cheaper way of preserving the female lobsters until the close season arrives and then distributing them in the water?—A. I cannot think of any.

Q. How do the Boston people keep the female lobsters?—A. They do not handle them at all.

Q. How do they keep their lobsters alive in the tank?—They have what are called great cars. They are frame structures, very simple in make and not costing much, being built of lumber. They are perhaps 30, 40 or 50 feet long and proportionately wide, strongly framed so that they will sustain themselves, and divided off into compartments. Perhaps the whole thing is four or five feet deep; the deeper the better because you have to get the lobsters well down out of the sunlight if you can. These cars, as we call them, float in the docks where the water is comparatively pure, although you would not think lobsters could survive there. Nevertheless they do. The receipts from Nova Scotia are placed in these compartments and kept until there is an upward tendency in the market. Then the merchants sell them, placing them by small orders. The most enterprising of these dealers have a man who goes from Philadelphia to the western towns and takes orders for lobsters which are sold at fabulous prices. I explained this practice to the Fishermen's Union, who are now so well organized that they could have a man go to Massachusetts and do the same thing, travel through Springfield and other towns in that State, and also through Vermont and New Hampshire. Instead of shipping all these lobsters we should hold them in reserve here. I asked once before, I believe, that permission should be given to any one who desired to construct one of these cars, without cost to the government or to the department, except that of oversight when it was constructed. If that were done, our season should be curtailed a matter of fifteen days, or longer if thought advisable, in order to give the people of Cape Breton and the eastern part of the province a chance to ship and not meet our lobsters in competition in the markets in the States, permitting the western people of Nova Scotia to keep in reserve a certain quantity under the surveillance of the local overseer.

Mr. VENNING.—Do they not do that now.

The WITNESS.—I think not.

Mr. VENNING.—Except in the close season?

The WITNESS.—Well, have 15 days of the close season to ship, you know.

Mr. VENNING.—That is the trouble?

The WITNESS.—Well, the local fishery officer would see to it. These cars are locked and they have an immense padlock on them and the officer could have the key. He could take charge of the car at that time.

By the Chairman:

Q. But you have missed my point?—A. Yes, I know, but I will come back to it again.

Q. You are wandering from the point?—A. Then, if you please, state the point and stick right to it until the thing is settled.

Q. Can this cheap method of preserving the lobsters, which is used in Boston, be applied to the preservation of the berried lobster on any part of our coast?—A. Why should you want to preserve the berried lobster when she is not attacked?

Q. Simply for this reason: we could adopt a system by which we would buy the berried lobsters from the fishermen, put them into a tank if they will live there, and at the close of the season distribute them the same as we are doing now through the medium of the Baker pound?—A. But the berried lobster is in no danger where live exportation is carried on. The Boston dealers told me that they received shipment after shipment, without a single specimen.

Q. Not from the pound?—A. I will give you the statement which I heard once.

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The Boston dealers told me: 'We get lobsters out of that pound that are shipped to us'

Q. I want your opinion as to whether the berried lobster could be kept alive?—A. I do not think she could. I do not think you could keep her alive in that way with entire safety because a pregnant lobster is something like every other pregnant female, there is a slight resemblance. Those that are far advanced are shy and they keep close. They have their caverns and boudoirs among the rocks, or retreats among sea weed and other marine plants, and they lie there until the eggs are hatched out. It must be obvious to any man that these eggs, with the embryo inside plainly discernable, are going to be in danger of injury by the lobster crawling over the rocky bottom. You never catch the same percentage of berried lobsters while the season is in full blast, and that is the reason; they keep pretty close.

By Mr. Maclean (Lunenburg):

Q. They stay in the house?—A. They stay in the house. I am told that pound system does not work well in all respects; I do not know whether it does or not. I was told by the Boston dealers that the lobsters coming from the pound were moss-backs. Moss will grow on the lobster or any other shellfish if they are kept where the rays of the sun can impinge on their backs. The dealers told me that the moss-back lobsters were shipments from that pound. I said that they were supposed to be berried lobsters, and ought not to be shipped. Their reply was: 'All we know is, that we got them and they were no good.' I recognize there is some necessity in the eastern sections for preserving the mother lobster in that state. But Mr. Chairman I can venture no kind of opinion as to the best method, because it is a subject we have not thought of in the west. I do not think we could improve on the present practice among us at all. The pound, as they have it in Cape Breton, may keep seed lobsters out of the clutches of the fishermen and the factories, but I am almost inclined to think they might die with too much kindness shown to them in the pound.

By Mr. McKenzie:

Q. Did it ever occur to you that traps could be constructed that would enable the lobster of less than proper size to escape?—A. Yes, it has been talked up a great deal, and I believe it was looked upon at one time as an order that the trap should be so constructed that it would allow the small lobster to escape by placing the laths farther apart; but it would be extremely hard to get such a regulation enforced.

Mr. VENNING.—That was tried in Prince Edward Island in 1893 and 1894, and it was not found practicable.

Committee adjourned until 4 o'clock.

COMMITTEE ROOM No. 32,

HOUSE OF COMMONS,

FRIDAY, April 23, 1909.

The Committee met at 4 o'clock, the Chairman, Mr. Sinclair, presiding.

The examination of Mr. Nickerson continued.

By Mr. Maclean (Lunenburg):

Q. You have some petitions and papers that we will not take the time to read but which you might hand in so that they may be published?—A. They comprise petitions and resolutions passed at meetings of the Fishermen's Union, giving their views on most of these points which have been already discussed, viz., the size limit, the season, transportation and provision for the saving of seed lobsters. These are the papers (handing documents to the chairman). This is a letter on the same sub-

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ject by the president of the Fishermen's Union of Nova Scotia (submitting another document).

By the Chairman:

Q. You have heard the suggestion made that fishermen be permitted to hold for a limited period after the end of the season live lobsters?—A. Yes, the suggestion has been discussed quite often. I may be allowed to state, Mr. Chairman, that this same topic was dealt with by a Fisheries Committee of the House of Assembly of Nova Scotia, of which you, I think, were the Chairman.

Q. What is the date of the report?—A. 1903, I have the report here. There is a recommendation, largely along the same lines which I will submit to this committee. I think the object and the means of attaining it are pretty clearly stated in this recommendation contained in the report submitted to the local government for transmission to the federal government. It is section 2 which reads: 'We beg to recommend that under such regulations as may prevent illegal fishing, licenses be issued at a nominal figure to fishermen and traders on the coast of Nova Scotia, to impound, sell and export live lobsters for a period of fifteen days after the date when the open season expires on each section of the coast.'

By Mr. Maclean:

Q. What do you think of that, is it possible or useful?—A. I think it would be very useful, considering the fact that towards the close of the season the lobsters are naturally at a low price in the Boston market, and when the date comes to close, all the stock held must be cleaned up at once and forwarded. They reach the Boston market at the same time and when that occurs, the prices go down to a pretty low figure. In years past some speculators in the United States engaged in the live lobster business were in the habit of sending sailing smacks to the coast, just as it drew near to the termination of the season, and these boats by offering a slight advance in the price over that quoted in Boston, were able to purchase most of the catches, or in other words they loaded up and went home. Sometimes they obtained a load at not more than \$4 or \$5 a crate, whereas in the middle of that season the lobsters had brought as high as \$40 and sometimes \$50 a crate. Then, after carrying the loads so obtained to the United States, most always to the state of Maine, pounds were constructed and these lobsters were put in them and kept there to be taken out in such quantities and at such times as the market in Boston would warrant, and so the American speculator was able to make quite a large margin out of the labour of the Canadian fishermen. These were the circumstances which first called attention to the fact and the request was made that some arrangement be arrived at, whereby certain quantities might be kept on hand at least for fifteen days longer than the season, and disposed of in similar quantities, so that the market should not ever become demoralized. To state it plainly, fishermen and traders desired to have the same privilege, to make use of the same opportunity that the American speculators were doing in the state of Maine. The Canadian fishermen said: 'This is our labour and they are getting too much profit out of it. We think some kind of provision could be made, for shipments immediately after the open season ended, under the strictest safeguards, so that no violation of the season regulations should take place.' I might say that in that connection it was further suggested that cars, being the least expensive contrivance, constructed of wood and capable of holding quite a large quantity of lobsters should be allowed at central points, and then the buyer, if he chose to make that arrangement himself, could purchase from all the fishermen who brought lobsters to him during the open season and put them in this car, which should be directly under the supervision of one of the departmental officers, and the officer of the department should see that proper provision was made for closing it. Most of the cars in use now for export lots during the legal season, are provided with a ponderous lock, and the official should take the key. Then for the next fifteen days, as the circumstances seem to warrant, if there is an upward tendency in the market, they could

take those lobsters out in small lots and forward them, and every package filled out of that car during that time, should bear the certificate of the official who has charge of the key, and any other crate containing lobsters found during that time should be considered contraband and liable to confiscation at the port of shipment. That was the scheme in the rough. It was not thought out in detail, but I recollect that when first published it met with the approval of all parties. The only objection raised at first mention was that it might possibly open the door to a violation of the law during the season; but when we came to explain more fully these precautions would be taken, and that no package would go forward unless certified to by the official of the department, the danger from that source seemed to be removed, and so far as I know all the objections were withdrawn. It must be understood that this scheme did not look to the imposing of any expense whatever on the department of the government, because whoever wished to avail himself of the privilege, must make the necessary preparation at his own expense.

By the Chairman:

Q. Is there not another objection to it, Mr. Nickerson. It is contended by the eastern fishermen, whose season does not open at the same time, that it would not give them very much chance of selling their live lobsters, that the western part of Nova Scotia controls the Boston market from the 15th of December to the end of their close season, and that you are proposing something that will enable you to ship 15 days longer into the Boston market and to control it to the injury of the eastern fishermen. What do you say as to that?—A. I say that we were fortunate enough to have a conference that represents the industry in the east, and we came to an amicable agreement. We said: 'We will not renew that demand again until a change of season is made, if thought advisable by the department, shortening it up by fifteen days on the latter part.' When we came forward with that proposition and said to our Cape Breton friends that we had no desire to come into competition with them in the Boston market, or to allow our season to overlap theirs, that we did not want to do anything that would be injurious to their business, but what we proposed was to have our open season end fifteen days earlier than it does now, and then that we should avail ourselves of that 'caring' privilege for the same fifteen days, which would put things, so far as the competition is concerned exactly where they are now. They were satisfied. I might say that I had a conversation to that effect with Mr. Baker about three or four weeks since in Halifax and he said: 'I cordially endorse the scheme, it will not interfere with our business at all.' I asked him if he would kindly make a written statement to that effect, which he did, which was very full and explicit and set forth the situation better than I could at the present. I have that statement with me, but I cannot put my hand on it just now.

I think, Mr. Chairman, that this settlement disposes of every objection.

MR. MACLEAN (Lunenburg).—That is all I wish to ask, Mr. Nickerson.

By Mr. McKenzie:

Q. In the old days when you and I were in the Nova Scotia Legislature, there used to be a question about certain islands near your county?—A. Yes.

Q. There was a conflict between private owners, or others who claimed to be the private owners of these islands, and the fishermen. Has that question ever been settled and if so what was the nature of the settlement?—A. Mr. Chairman, I regret to say that the question has not been settled, but on the contrary it has reached a very acute stage. The island most in dispute seemed to be an ungranted island in the Tuskets. The claimants to the island issued a proclamation warning fishermen off the strand, for they occupied no more than that and made use of it for fishing purposes only. At that time there was no house or habitation, no signs of occupancy at all by any parties, but it was the practice of some of the real owners of the other islands to charge a rental to the fishermen varying from \$5 to \$25 a boat, so that it formed a pretty tempting source of income. The alleged claimants to this island requested the fishermen to pay rent or get off, and as the title was not quite clear,

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the fishermen still retained their hold of the beach and prosecuted their calling; they merely landed their boats or piled their traps there when preparing for the season's work. After a while, I myself, searched the records in the Crown Lands Office of Nova Scotia, to see if there might not be a possible grant, or lease, or sale, and finding nothing of the kind, the fishermen received legal advice that they had better hold on to what they had in true British style. The fishermen numbered about 30 and every one was served with a process—instead of making it a collective case every one of these men was summoned to appear before the Supreme Court and answer a charge of trespass. They secured an attorney and prepared to defend the suit, but about 10 days before it was to be tried their attorney, for no possible reason that I could discover, informed them that they had no case and then, of course, it was too late to get another lawyer. At the same time all the papers bearing on the case were in the hands of their first counsel and nothing was left to them but to surrender ignominiously. Then the costs were taxed and those few fishermen on that island had to pay \$500, which just equalled the little fund they had collected amongst themselves to defend the suit. Among the fishermen was one who refused to come to terms and the next move, I think, was to sue him as an over-holding tenant. That case came before the court in Yarmouth and the fisherman was acquitted. I do not know exactly what the question before the court was, whether they dealt with the question of ownership or not; I only know that the judgment acquitted this man and he continued to occupy right straight along with the others who in the meantime had made a sort of truce by agreeing to pay a yearly rental for which they signed at the beginning of every season when they went on the island. Now I believe an injunction was obtained from the Supreme Court restraining this man from landing on that island again. I presume that he did not clearly comprehend the gravity of the situation, and he did not know how fatal the thing was, but he went on the island, was arrested and lodged in jail, and in spite of Magna Charta and habeas corpus, of which we boast so much, that man is in jail yet and liable to remain there. I do not know there is any remedy since the crime seems to have been contempt of court, or it amounts to that. Of course that raises another question altogether, and I regret very much to see that the situation is so unsatisfactory, and likely to become worse.

By Mr. McKenzie:

Q. I am of the opinion that islands that are useful for the fishermen, and practically good for nothing else, should be the property of this government, and the use of them should be given on easy terms to the fishermen?—A. That is the general sentiment.

Mr. VENNING.—The Fisheries Act has a clause which gives permission to fishermen to occupy for fishing purposes unoccupied lands throughout the country.

Mr. MCKENZIE.—That might apply to Crown lands, but not to islands privately owned. They are held to be occupied.

By Mr. McKenzie:

Q. Would that be your opinion?—A. That is my opinion, and it is held, I might say, by all the leading men. I am told that such was the opinion of the late Senator Lovitt, Yarmouth, and I have a letter from Mr. F. Killam, the ex-M.P. for his county, expressing some surprise that such rigorous action was taken against the fishermen. He points out that their occupation is the source of great income to the county of Yarmouth and he states that he has frequently urged upon the government—I do not know whether Federal or Local—that some measure should be taken to secure these islands for the fishermen.

By Hon. Mr. Brodeur:

Q. Are these islands, of which you speak, the property of some individual?—A. The title of this one is in dispute, but the Attorney General of Nova Scotia in reply the other day to a question of mine, said that the records showed it had been once granted to a certain party, about thirty or forty years ago, I think, and then cancelled by

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order of the Supreme Court in equity, at the instance of another party. And he further says, there is no other record of any transfer in the Crown land office till the present day. Of course everybody believes that the title is defective. It rested in the first place upon a mere legend that in the old colonial days a man, who lived on a certain part of the coast, piloted a British warship through the straits inside the islands, and in recognition of this service, the commander of the warship, by a sort of quarter-deck decree, granted him that island.

By Mr. Kyte:

Q. Are there any changes you would suggest should be made in the regulations with respect to lobster fisheries, or do you think they are as nearly perfect as they can be?

Hon. Mr. BRODEUR.—And if they are not, will you please give us your views as to that?—A. I can speak with considerable certainty regarding that portion of the coast from Digby down to Lunenburg.

Q. Lunenburg included?—A. I would not include the eastern portion of Lunenburg, but the western, where they have close connection with the railway.

Q. Can you speak of this section?—A. From the Digby county line down about to there (indicating on map), I would not include Halifax.

Q. Do you mean at La Have river?—A. Well, just about that river. That would be a safe territory to speak for. I have consulted all the leading authorities, as well as the fishermen, that is to say, I put the question frequently whenever I met them, and there seems to be a general consensus of opinion that the regulations both with regard to the size and the season are just exactly right, with the exception that the season might be shortened on the later end, and that the fishermen might profitably and safely commence a few days earlier, namely, the 1st of December.

By Hon. Mr. Brodeur:

Q. You would suggest the 1st of December to commence, now the season closes on the 31st of May. What would be your suggestion with regard to the closing of the season?—A. The 15th of May.

Q. What about the size limit?—A. That they wish it to remain as it is.

Q. As it is?—A. I think that the document which I submitted a little while ago strongly desires to have that size limit enforced. All those papers, I think, contain that special prayer.

By Mr. Kyte:

Q. Coming back to the question I put to you before adjournment, inasmuch as there are practically no lobsters left for canning after the live lobsters have been shipped, would it not be wise to abolish canneries in that section?—A. Well, that is rather a far-reaching question, and I would not like to answer it offhand.

Q. But if we are face to face with that question, as I think we are?—A. I suppose we must face it. Now let me say deliberately that the matter is to a certain extent curing and regulating itself. The past season was quite an unprofitable one for the packers in Western Nova Scotia. They were forced by competition to pay too much for these little lobsters, the 'tinker' lobsters as they are locally known.

Q. But they should not be taken at all?—A. They should never be taken at all, but if they had not taken them this disaster which we so much dread would have happened to the packers. They could not have kept their shops in operation. Now then, there is nothing before them, I cannot see there is anything before them but going out of the packing business; perhaps they could adapt themselves to the change, but I do not suppose that a very great loss would be involved.

Q. Who are the men who own the canneries, are they American packers?—A. There are no American packers in the western district.

Q. They are all local men?—A. They are all local men, or chiefly so.

By Mr. McKenzie:

Q. I suppose the packers could glide into the live lobster business couldn't they?—

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A. They could not do that because the fishermen ship on their own account. Nobody comes between the producer and the distributor as a rule, and that I take it is the healthiest way in which any business can be conducted.

Q. Is it your opinion that if the law is carried out to-day, there will be no lobster factories?—A. I do not see how they can run on the very small margin. It might have been possible for them to exist before the reduction of the Massachusetts limit; but everything down to the 9-inch limit now goes to Boston. Now that leaves the canners only just about from 9 inches down to the smallest lobster that is caught—we will say 5 or 6 inches.

By Mr. Kyte:

Q. Do you understand that the temptation to violate the law is greater in your own district, inasmuch as they have a market for their live 9-inch lobsters in Boston?

—A. Yes, but they are of legal size.

Q. Not under 9 inches?—A. You mean the temptation to the packer?

Q. Yes?—A. Certainly.

Q. To take the small sized lobster?—A. I suppose that if they could get stock enough to run their factories none of them would willingly violate the law.

Q. Would the fishermen suffer very much by reason of the closing of the canneries?—A. Scarcely at all.

By Mr. Bradbury:

Q. What effect is the taking of the small lobsters going to have on the industry? Does it not really mean ultimately the depletion of the fishery?—A. Well, not exactly the depletion because they point to the fact that certain grounds have been fished for years and years and are still holding good.

Q. Still it is going to have some effect?—A. The worst feature about it is that the small lobster is being sold for a mere trifle when the next year that lobster would be worth more than twice as much in the Boston market.

Q. Do you really think that is the worst feature of it, the getting of the small amount for the small lobster?—A. It is the worst feature in the district in which the catches seem to persist

By Hon. Mr. Ross:

Q. Is not five and a half months continuous fishing calculated to reduce the supply of lobsters? In the County of Victoria, Cape Breton, at the best we have only a season of three months and some years when the ice continues on the coast the season is shortened to two months. Where you continue fishing for five and a half months, is not that calculated to reduce the supply?—A. I am of the opinion that it is. I have always said the most effective way to prevent depletion is to shorten the season. It should be remembered, at the same time, that a month and a half, if not two months, must be cut right out of our open season because of the inability of the fishermen to follow the calling by reason of rough and boisterous weather. Otherwise—

By Mr. Law:

Q. Have you heard of any disposition among lobster fishermen themselves to commence the season in the middle of January instead of the middle of December as at present?—A. No; we have had the strongest protest against it. Something of the kind was suggested either before this committee, or in some item which found its way into the press, and in that way reached our section of the coast. Almost immediately there was the strongest protest. I have the letters with me and they point out very clearly, I think, that commencing late in January would almost undo them. They would stand in danger of putting their gear out just in time to have it swept away by storms and would get nothing for it. That is one reason. There are several others that might well be elaborated, showing that instead of putting the season forward, it should be put back to an earlier date and then close fishing half

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a month earlier, so as to retain exactly the length of time we have now, but making better use of it at the beginning and at the end without the loss of gear.

By Hon. Mr. Brodeur:

Q. Are we justified in giving the people of the west a season of five months when in other districts there is only a three months' season?—A. In the other districts the three months' season falls at a time of the year when the fishermen are liable to prosecute their calling steadily on account of the weather.

Q. What about delay in fishing caused by the presence of the ice? It frequently happens that the fishermen are prevented from fishing during the first month of the season in the southern part of Cape Breton?—A. Yes, I know something of those conditions but I remember that the fishermen there did not seem to bring it very prominently before the Lobster Commission. They asked for that season. You will remember that was the season they asked for. But since, when we have discussed the matter offhand, there has been some little complaint (I think it is well founded), that the western sections have a better season, considering the fact that an ice invasion may occur in the east even after the fishermen get their traps out. I have always thought that their seasons were a little too restricted; but I keep in mind the fact that we do not actually use any more than three months of our own season.

Q. Which are the three months that you use?—A. We are using now the fifteen days in December.

Q. So that you should start 1st January?—A. Yes. We have fifteen days during which we have the mildest weather and then we have one-half of January.

By Mr. Bradbury:

Q. Are the traps kept out all the time?—A. Yes. To understand the situation, it must be stated that these boats go a great distance from land. Some of them go five or six miles in winter and almost ten miles in summer right straight seaward where the water is from 25 to 30 fathoms deep and it becomes a great labour to take up 200 traps to a boat, carry them in, land them and then put them out again. As you said, they generally risk it, but they do not fish them continuously during the rough spell. The traps are not baited in that interval; consequently they do not destroy any lobsters. Then about the 20th March (it varies a little according to the severity of the season), the fishermen start in again and have the remainder of that month which will be ten days, and the months of April and May.

By Mr. Kyte:

Q. Three months and ten days?—A. Yes; three months and ten days steady fishing.

By Mr. Bradbury:

Q. Did I understand you to say that with a season of five and a half months there was a danger of fishing out the lobsters?—A. I said in a general way that the length of any season was exhaustive in my opinion, but I pointed out, I think, at the same time that we practically only had three months, so that there was not a very great length of time after all.

By Mr. Law:

Q. You are aware of the fact, are you not, that in parts of Yarmouth county they only have about two and a half months fishing?—A. That is on the western shore, at places exposed to northwest winds.

Q. There is Sandford, Short Beach and Port Maitland, where there are not any lobsters shipped until the middle of March. There they do not get a season of five and a half months—A. No.

By Hon. Mr. Ross:

Q. I do not think the argument with respect to the time for fishing is very sound, because on the north shore of Victoria county the moment it comes on to blow from

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the south-eastward the boats are not able to get out for days and days. So that the time of the fishermen there is broken just as much as the time of the fishermen in your district?—A. Certainly it is; they are under the same disability. I want to emphasize this fact again, that of our season, while under the regulation it stands at five and a half months, less than three months of that period can be utilized. And in certain sections of the west, which have just been alluded to by Mr. Law, they are not able to make use of that much.

By Mr. Law:

Q. Two months, or two months and a half at the outside. That is really the extent of our fine season?—A. That part of Yarmouth county is exposed to some of the strongest winds.

By Mr. Bradbury:

Q. Is not the great danger to the lobster industry the taking of small lobsters?—A. Yes, I have admitted that is so.

Q. The first object would be to protect that industry, and is there not a danger of the fishery being destroyed because of small lobsters being taken?—A. The law gives that nominal protection already; what we want is that the small lobster shall be protected in practice as well as in law.

Q. The law that is not enforced is no good. Whose fault is that it is not enforced?—A. I am obliged to say that it seems to be tacitly agreed by all parties concerned that the law with regard to size should go by default. It is a very unsatisfactory state of affairs.

Q. That is what is destroying the whole industry, the law is not enforced?—A. I have nothing to say in opposition to that.

By Mr. Jameson:

Q. Mr. Nickerson, while on that point, do you think it would be better to shorten the season right throughout, or having regard to the special weather and climatic conditions along the coast, do you think that the seasons are now only reasonably lengthened?—A. Considering the weather conditions, I think that the season is not any too long.

Q. There is just one other point. Would you consider that a reduction of the size limit would be desirable?—A. I do not see that it would be of any use. It would not be profitable if the canners were kept strictly to that size. They would not have receipts enough to run any shop, even the smallest, because, you see, all lobsters over 9 inches go to the foreign market, and only those lobsters coming between 9 inches and 7 inches, that is two inches, we will say, come to the canneries and that would be a very small supply upon which to run continually.

Q. They are now canning down to about 5 or 6-inch lobsters, are they not?—A. I suppose they are, although a 5-inch lobster is getting too small to be in evidence.

Q. You do not consider a reduction of the lobster size would be any solution of the difficulty?—A. No, not in the west.

Q. Would it not be advisable to reduce it for, say, a term of one, two or three years and strictly enforce it, and then gradually raise it until the limit is brought back to what it was?—A. I think the canners would have to go out of business in the meantime.

Q. Under those circumstances?—A. Yes, under those circumstances, but I always put in this qualifying phrase, 'in the west.' You understand that in the eastern portions of Nova Scotia, there is practically no export of live lobsters as yet.

Q. Quite so?—A. In that situation, the packers could probably survive, as they do; but where everything down to 9 inches is exported, it leaves the packer only a margin of two inches to work on, and that of course he could not get along with, because he is running short now, even when taking everything.

Q. What percentage of lobsters would fall below 9 inches and be above 7 inches

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in the catch that is now taken?—A. Oh, perhaps one-tenth of the whole catch, or a little over.

Q. And what percentage below that?—A. Below what?

Q. What percentage below 7 inches are taken?—A. Well, that would be a still smaller proportion, I think. When you get down to 5 inches these lobsters can escape from the trap.

Q. Then there is only fifteen per cent illegal lobsters taken, is that correct?—A. Fifteen per cent—I should not think there is any more than that; if you will consult the returns you will see that the great bulk of our catch is exported.

By Hon. Mr. Brodeur:

Q. Can you give us the proportion of the trade in live lobsters and in canned lobsters?—A. I think by the last returns the value of the live lobster exports was about \$600,000, and of the canned about \$500,000.

By Mr. Law:

Q. In what districts would that be?—A. That would include only the seven counties in the west.

By Hon. Mr. Brodeur:

Q. Then if we enforce the regulation with a 9-inch limit as it is provided to-day, this \$500,000 of canned lobsters will probably disappear, there will be no business for the canners?—A. But the next year you see they would be worth more than double that amount for live exportation.

Q. But is not the enforcement of that regulation going to close the factories?—A. I think so, I will not deny that fact.

Q. So you favour the enforcement of the regulations and the closing of the factories, that is if the result of the enforcement of those regulations is to bring about the closing of the factories?—A. That seems to be what is called for by the fishermen on our coast.

Q. That is what the fishermen want, is it?—A. They will not lose the live lobster trade, and they think it is vastly more important to preserve that than to kill the industry altogether.

By the Chairman:

Q. Would you give any notice to the canners?—A. I think they should be notified at the close of any given season so that they might make arrangements accordingly. It would undoubtedly be a hardship if a decision should be arrived at adverse to these factories just before starting in their season of operations, because they always go to considerable expense in providing their outfit.

By Mr. Kyte:

Q. They should have their season at all events?—A. They should have one whole season to adjust themselves to the changing conditions.

By Mr. Law:

Q. They also make large advances to the fishermen months before the season?—A. Certainly.

By Hon. Mr. Brodeur:

Q. You would not be in favour of the enforcement of the regulations right away?—A. I would give the packers time to prepare—

Q. You would give them a year's notice from the closing of the season, would you not?—A. Yes, that will be a year's notice. Give them one season. That is what I suggest.

By Mr. Law:

Q. Would there, in your idea, be any injustice to the fishermen and the packers themselves, if they should drop one month each year off the season until it was gradu-

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ally cut down to nothing? That would give the packers ample time to get out of the business, to dispose of what plant they have, and then the department will be in a position to see whether the lobster industry is really growing or whether it is being depleted?—A. That will apply to the packers alone?

Q. No, to the whole business, fishermen and packers?—A. You mean——

Q. To make the season one month less each year?—A. The packers, not the exporters.

Q. No, both of them?—A. Oh, no, you would not get that, I would not agree to that. When would you shorten the season, would you shorten it in the spring, or at the beginning, or in the middle?

Q. That would be a matter of arrangement, whether it should be left off in the middle, or in the end or in the beginning of the season?—A. They are forced now by circumstances to lay off for a portion of the season during the middle of the winter, and I do not hesitate to say that to curtail the season for the fishermen by a series of shortenings in that way, would be an injustice, because they are now carrying on a legitimate business, and if it were necessary in order to prevent the destruction of the lobster industry by the taking of illegal sized lobsters, the fishermen might be willing to agree to it. But I do not see why, when they are conducting a safe and honest business, they should be made the scapegoats for the sins of the packers.

By Mr. McKenzie:

Q. What you say is, that with legal fishing there is no danger of depletion?—A. I cannot see that there is. I have observed it quite closely and I do not apprehend there would be any danger.

By Mr. Jameson:

Q. With regard to the percentage of illegal lobsters, can you give us any idea of the quantity of illegal lobsters taken in the western part of Nova Scotia?—A. It differs in different localities, but there is not a very great percentage. That fact is apparent, when you see the packers suspending operations and not able to run full time.

By Hon. Mr. Brodeur:

Q. I understood you to say that it was 15 per cent?—A. I do not know, there will be more than that. In some places where the exportation facilities are not so convenient, you will probably get all that are caught. There are some sections in the western part where that is the case, and I think some of the gentlemen here know where they are.

Q. Let me ask you another question: You have a general knowledge of the lobster industry not only for the province of Nova Scotia but for the maritime provinces, have you not?—A. Yes, I have had some opportunity to observe it.

Q. You have a special knowledge with regard to certain districts, have you not?—A. Yes.

Q. Will you define the districts as to which you have special knowledge?—A. Yes, readily; that would comprise all of Queens, all of Shelburne and part of Yarmouth. As to the shore north of Yarmouth town, I could not speak with so much certainty, because although I have been there quite frequently, their operations never came so constantly under my observation. But with respect to the others, mentioned already, I feel authorized to speak with the certainty of personal knowledge.

Q. Having regard to those districts as to which you can speak from personal knowledge, you would say that the percentage of illegal lobsters was about 15 per cent?—A. Yes.

Q. Then 85 per cent of the catch is above the size limit?—A. Yes, something like that.

Q. You would attribute that to the fact that there is a large business carried on in the export of live lobsters?—A. It is entirely owing to that. Now in Little Harbour where this co-operative company lately started up and began operations, they always were very much opposed to the taking of small lobsters and they are canning from

the 10½ inches down to 9. That method is liable to be followed by all the lesser packers which come into the business hereafter. You understand there is a saving in doing business in that way. The market for 'mediums' is a little uncertain, it fluctuates, and sometimes they make a loss. These men are quite prudent. They said: 'We are working for ourselves and using our own lobsters. We are going to have a market for mediums very close at home. We are under no expense of "counters" and snacks and the like of that. We will make the experiment of using these medium sized lobsters for canning purposes.' They are doing that and they have a larger margin to work on than the other packers.

Q. Where it is possible to carry on the export of live lobsters, would you consider there were special reasons to curtail the issuance of licenses?—A. The matter there regulates itself. The packers have gone out of existence in those places where the means of transportation are entirely convenient, and I would consider that less injury would be inflicted by cancelling, or refusing, licenses to canneries situated in those localities that have superior facilities for exportation than in sections far removed from the market. Is that the point meant?

Q. That is fairly well answered. You are having the industry regulate itself instead of the department regulate the industry?—A. Not as a whole, because the conditions vary so greatly. Take certain sections in the western part of Shelburne county and the lower part of Yarmouth county. There the calling is prosecuted, I think the most vigorously of any. Well, the canners are obliged to make long trips of twenty to thirty miles in order to scrape up the small lobsters to bring to the canneries. I think that is a well known fact. All that increases the expense and there can be very little profit carrying on canning operations under those circumstances. Conditions are such that it will only be a little while before the minimum amount of injury would be inflicted on the industry by refusing a license in those particular localities. Does that cover the ground?

Q. Yes, thank you. The question has been raised during the sittings of this committee as to the advisability of dividing the coast line into districts. From your experience do you consider it absolutely necessary, or quite unnecessary, that such a division should be made with regard to seasons?—A. It is an absolute necessity. It depends upon climatic and weather conditions and must remain an absolute necessity for the most part because the people in Cape Breton could never use the winter season or any part of it, not even December or the early days of March, as we do.

Q. Then in your judgment the division has been made on good?—A. Fairly good lines.

Q. Now can you tell us the special conditions which prevail in the Bay of Fundy and St. Mary's Bay?—A. With regard to size limit and season?

Q. That has been made a special division, has it not?—A. Yes.

Q. Can you tell us any special conditions with regard to that division?—A. I cannot.

Q. My reason for asking that is that I have put the same question to each witness who has been examined and they have all been unable?—A. I cannot give you any reasons.

Q. And they have all been unable to state the special conditions prevailing there?—A. I cannot say that there are any conditions differing from those of the neighbouring locality.

Q. Your knowledge does not extend beyond, we will say, the town of Yarmouth?—A. The Lobster Commission went through that part of the province and took evidence at several meetings specially convened for that purpose, but so far as I can recollect, there was nothing in that evidence, although we went over it very carefully, which would justify such an exception of the Bay of Fundy and accordingly I did not recommend it. As I stated this morning, we did not recommend that there should be any break in that uniform law with regard to size and season from the State of Maine boundary to Halifax harbour.

Q. Well, there are four different divisions?—A. I understand the Digby division

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came in first. I am unable to say on whose recommendation and for what alleged reason.

By Hon. Mr. Brodeur:

Q. Is it mentioned in your report?—A. I do not think it is. As I have stated I think our report recommends a regulation for one size and one season.

Q. That is for the whole?—A. For the whole of that strip of coast including both sides of the Bay of Fundy and the Atlantic coast of Nova Scotia down as far as Halifax harbour. You will find by referring to the report of the Commission that such was the recommendation at first. Subsequently —

Q. Outside of the size limit, there is no very great difference in the seasons. I find that for Charlotte and Digby counties it is January 6 to June 15, St. John county, January 6 to June 29. That is fourteen days more, the size limit is different there?—A. $10\frac{1}{2}$ inches, I think.

Q. But now it is 9 inches. The other district which includes Annapolis and Kings counties is from January 15 to June 30. So you see there is not much difference?—A. They run pretty nearly concurrently.

By the Chairman:

Q. You have said that the whole should be included in one season?—A. That would be my opinion.

By Hon. Mr. Brodeur:

Q. And have a size limit of 9 inches?—A. Of 9 inches.

Q. You would withdraw the size limit of 10 and $10\frac{1}{2}$ inches?—A. I would be inclined to do so, considering that our first report was very popular among the fishermen as it was first announced in the press. Afterwards this change was made and evoked a little storm of opposition. Of course, there were many reasons given for it, which I am not bound to state now.

By Mr. Jameson:

Q. What is your present opinion with regard to a uniform size limit?—A. In the territory under review?

Q. Yes?—A. I think it would answer the purpose best to have a 9-inch size limit and the season as it was originally recommended with the exception perhaps of Digby, St. Mary's bay. On that shore they claim that in the early part of December while the adjoining sections are sheltered enough, their place is too much exposed to the northerly winds. I am inclined to believe there is something in their contention, but whether it would be wisdom to make an exception for such a short stretch of territory or not is a matter to be considered.

By Mr. Law:

Q. That same thing would apply to the northern part of Yarmouth county?—A. Probably.

Q. It has an imaginary boundary line too?—A. I would not like to decide on those two localities, whether it would be worth while. There is always a danger in those limited sections because there is fishing across the boundary line without let or hindrance and there must be, as these lines are not accurately laid down at sea, and a man may conscientiously move his traps 100 yards and be in another season as fixed by law.

By Mr. Jameson:

Q. Just one moment at this point: you speak of illegal fishing which goes on, and you say that the division or boundary lines render that possible, are you passing your opinion now of what has occurred in the past?—A. Oh, yes.

Q. Has any systematic effort been made to carry out any of the regulations respecting the lobster industry, particularly that with regard to the size?—A. Some few attempts have been made.

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Q. Have they proved effective?—A. Not quite. They carry out the regulation with regard to the season somewhat better.

Q. With regard to the season, yes, but with regard to the size?—A. Well, a few years ago some fines were heard of, but of late years they are not heard of at all.

Q. They were not popular I suppose?—A. They were not popular.

By Mr. Law:

Q. Do you say there are no fines imposed of late years with regard to the size limit?—A. Yes.

Q. Well, have you seen the returns from Yarmouth county?—A. Yes, I have it on pretty high authority that there is an arrangement between the packers and the officials to pay \$60 each year, as hush money, I think, I am ready to produce the evidence if called for, to that effect.

Q. Are you not aware that there are more fines collected from the packers of Yarmouth county than from the packers of any other part of Nova Scotia?—A. I had not heard of them.

Q. You had not heard of them?—A. No.

Q. I thought you were well posted on all these matters?—A. That is a matter that didn't come to the light of day.

Q. It was reported to the department?—A. I feel constrained to say that an officer of the department came down last year to consult with us respecting the establishment of a lobster hatchery there, and in the course of conversation, it developed that he had discovered there was an established understanding between the packers and the fishery overseers that \$60 was the stated price, and that at regular intervals they were called upon to pay it. I appeared myself in Yarmouth several times to defend suits of a legal nature and Professor Prince was summoned on one occasion to come down and investigate the workings of that same thing. During that short investigation, he made the discovery that on payment of this stipulated amount, this sum of \$60, the packer could go on for several months—

Q. Violating the law?—A. Yes.

Q. But he could violate the law without paying for it?—A. Yes, and that would seem to be the most honest way of doing it.

By Mr. Jameson:

Q. There is a very general disregard of the law with respect to the size, is there not?—A. Yes, there is at the present time.

Q. And you recognize the difficulty which presents itself at the present time in the way of its enforcement?—A. Oh, yes, it is difficult.

Q. You said a moment ago that the division of some of these districts here, particularly with respect to the season, made possible some trifling violations of the law with regard to overlapping?—A. Yes.

Q. Would you consider that as very serious compared with the violations which are going on right along?—A. No; the destruction would not be quite so extensive.

Q. But would it operate, in your judgment, so as to deprive people, who from climatic conditions were prevented from prosecuting their industry except within certain seasons, of the privilege of fishing within the season when they could profitably prosecute their industry, simply because there might be a trifling violation of the law?—A. If you made the seasons coterminous, you would get rid of that difficulty at once.

Q. Yes, but the people who are depending upon the prosecution of this industry would not be able to make their living?—A. To make my position clear, I shall have to refer again to an incident. When our recommendation was first made public, the fishermen, without exception, on the Digby shore from the Strait down, prepared to put their lobster gear off on the day and date when the Yarmouth and Shelburne county went into the business. They had all their traps on the beach when the order arrived that the season was going to be fixed, not as it appeared at first, not

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as it was in the recommendation, but according to a decision which had been arrived at afterwards. And then there was civil war. I think Mr. Jameson must be cognizant of the fact, because it did not happen so many years ago, and although he is a young man, he must remember it. Well, now, the situation was at once the most awkward that could be imagined. Here were men who, under the apparent warrant of law, had gone to the expense of preparation, because that was the proper season, and the authorities had changed their minds, but the fishermen were bound to insist upon their rights. Officials who went down there instructed to stop the shipment of lobsters from that section of Digby shore to Yarmouth, were not able to do so.

Q. Wasn't there any prosecution for that?—A. I do not know. Some time afterwards it was reconsidered, and in St. Mary's Bay, that section of the coast between Yarmouth and Digby Neck, an extension was made which remains in full force to-day, with this disadvantage that the seasons are not quite coterminous, and the abuse of fishing over the line does occur, and must occur as long as it remains that way.

By Mr. Bradbury:

Q. Speaking about the percentage of small lobsters, I understood you to say that about 15 per cent were under sized, are you speaking of the value or number?—A. Not value; that will be quantity, 15 per cent in weight, which would make about 50 per cent in number; that is the point. The first percentage I gave was that of weight. That would be correct, I should judge, because a lobster at 9 inches weighs a little more than a half pound, while those over 10 inches—those lobsters which are sold in Boston are large lobsters—will go about 200 pounds to the crate of 90 lobsters. That is the difference. So that 15 per cent in weight would easily run into about a half of the entire catch in count.

Q. That is the whole thing?—A. That is the way to compute that.

Q. You would say, then, that about 50 out of every 100 lobsters caught are under-sized?—A. Yes, by a mere guess I should think it was something like that

By Hon. Mr. Brodeur:

Q. You said a few minutes ago, that \$600,000 worth of live lobsters were shipped to the United States and \$500,000 worth were packed. Your statement means, I suppose, that the \$500,000 worth of lobsters packed were under-sized?—A. Yes, for the greater part.

Q. In other words, that all the packing is of illegal lobsters?—A. Yes, as a rule.

By Mr. Kyte:

Q. Fifty per cent live lobsters are shipped to Boston, and 50 per cent of illegal lobsters packed?—A. Pretty nearly that.

By Mr. Jameson:

Q. That refers to the western district?—A. With some exceptions that I have referred to before.

By Mr. Bradbury:

Q. If this illegal fishing continues and 50 out of every 100 lobsters packed are under-sized, would it not suggest to you the ultimate depletion of this fishery?—A. It is the fate which I have sometimes seen looming up ahead of us.

By Mr. Jameson:

Q. The Commission to which you referred a while ago made a report in 1898?—A. Yes.

Q. I understand that the recommendations which were made by that Commission were not incorporated into regulations by the department?—A. That seems to have been the case in one or two particulars.

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Q. The regulations now in force are not those founded on your report?—A. Not all of them. I think that statement can be verified by a reference to the report itself.

By Mr. Bradbury:

Q. One more question. I am not a Lower Province man, but I am interested in this matter. Running all through your evidence is an expression of opinion that a certain policy would not be popular with the people. Now is there not a more serious question than the popularity of the policy of the department in regard to this industry? Is it not the first duty of this committee to see that the industry is protected regardless of whether it is in the interest of the fishermen or not?—A. Well, I should say so. I should say that is the primary consideration. At least that is what I had in view when I was a member of that Commission, but I urge protection exactly because it is in the interest of the fishermen. The first—

Q. You can understand that the fishermen want the lobsters as long as they last their time, they do not care?—A. I think that must be qualified a little. They are not quite so imprudent as that. You understand that the fishermen have their homes there. You must also understand that in a great number of instances the packers who have a factory at any given place do not live there and do not pay their taxes there, in the majority of cases. They have a shop, and they are exactly the ones who 'fold their tents like the Arab and silently steal away' whenever the supply gives out; but what of the virtuous population that remain?

Q. You have an idea that you can protect the industry and at the same time give the fishermen pretty nearly all they want?—A. Yes, sir, exactly. We could give them an increase.

By Hon. Mr. Brodeur:

Q. You want to see the packers leave the district from what I can see?—A. That is the consequence, not an object with me; I always distinguish between the two. I would be glad if the packers could remain and do an honest business, letting the fishermen have a living chance; but when they cannot then the same fate must await them that would await me if I did a certain thing for which I would find myself in chancery.

By the Chairman:

Q. I understand that in some way you are representing the Fishermen's unions and Mr. Maclean got you to present papers purporting to come from these organizations. Looking over the papers filed, I find that out of forty unions in Nova Scotia there are only two that have sent resolutions. How does that occur?—A. That came about in this manner: all these stations were not aware that this Committee was going to be appointed and hold sessions for the taking of evidence. The thing just happened in that way. Then I may further explain that I hastily called their attention to the appointment of the Committee and said: 'Here is a good opportunity for you to formulate your views and opinions and send them in to that Committee because they are going to take evidence and you will get a hearing.' That was a few weeks ago and several papers came to hand. I should think a good many more than I have here. Some of them were hastily gotten up and I will submit them to you later. Perhaps you will find a great deal in them. In taking the papers out of my portfolio this morning I discovered they were too voluminous. They contained all the minutes of the meeting of the union concerned and what I had called for was that some resolution should be embodied in the statement to be forwarded leaving out the other transactions, so as to present a synopsis of the case with which this Committee could deal at once.

Q. You have no resolution from the general association?—A. I have no resolution forwarded here but I think there is one.

Q. Who is the writer of this lengthy letter (exhibiting letter)?—A. That is S. Scott, president of the Fishermen's Union of Nova Scotia.

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Q. Who is S. Scott?—A. I only know him. He is a councillor, I think, for Cape Breton.

Q. He deals with a number of other things besides lobsters such as transportation, insurance for fishermen and the dog-fish pest?—A. That is a sort of resumé of the business that was done at the general conference last year. The union deals with all phases of the industry.

Q. I suppose what you intend is that we shall cull out of this any matter that pertains to this investigation?—A. That was the intention. I only wish, Mr. Chairman, it could have reached you in a more presentable form but I had to do the best I could. I think the information was prepared not for presentment to the Committee but for an appeal to Ottawa again.

By Mr. Law:

Q. I was not able to harmonize the statement you made that 15 per cent of the weight of the lobsters went into canning and 85 per cent went fresh to the Boston market. Furthermore you told us that the 15 per cent was worth \$500,000 and the 85 per cent worth only \$600,000?—A. Well, I tell you that is due to defective book-keeping, some how or other. I want to call your attention to that same report. It always does us good to study a public document with great accuracy. Now if you will look at the invoice price of these live lobsters you will find \$10 a cwt. I presume that cwt. is a term for crate whereas a crate will hold about 200 lb. and the market price there is more often \$50 than \$10.

Q. It is \$5 in the report is it?—A. It is \$10 in the west, \$5 in the east, according to the report.

Q. Then as a matter of fact your export of live lobsters would be worth \$3,000,000 on the same argument would it not, that is to say that much money would be coming into the country in return for live lobsters?—A. I can only say I do not know how the quantity was computed. I am taking this from the returns and I do not know how they size up the cwt. I have asked frequently at the custom house. I have gone there and said: 'How do you reckon this? Did you only get the hold of the number of crates?' In some places they said they did. 'Well,' I said, 'but you know what they contain?' The reply was, 'No, we do not, it is an estimate.' I am not answerable for any statement in that book. I just hold to the original statement that the live lobster export exceeds—I should say easily four times—those that are put up.

Q. That is more like it?—A. Perhaps I am not very near the mark. It is very unsatisfactory that we cannot get the data on which to base a calculation to show what we really can and what we ship of live lobsters.

By Mr. McKenzie:

Q. A thing like that is put in the balance of trade against us—A. Yes, a pretty good balance is paid us, when we ship to Boston.

By Mr. Bradbury:

Q. As I understand it, in place of that figure being \$600,000 it should be \$3,000,000. What is the actual value of the live lobster export trade, do you know?—A. That is the way I find it, if estimated at full value.

Q. That \$600,000 was the amount we received from the live lobsters?—A. That is what I gave. That is the statement in the book.

Q. What book is that in?—A. That is in the official returns.

Q. That must be corrected then?—A. I only know they are not invoiced properly.

By Mr. Law:

Q. The customs officers have the information as to the cases?—A. I spoke to a
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customs officer last year about it and he said that he found that the lobsters that went to the Boston market had been invoiced too low altogether, away down under what they should have been and that this year it would be different.

By Mr. Warburton:

Q. What is your opinion about that \$500,000 for the canned lobsters?—A. My opinion is that it is slightly inflated, it does not amount to that.

By Mr. Law:

Q. What do you mean? The canned lobster is easier to get at than the other?—A. Yes, but it involves a great deal of trouble.

By Mr. Bradbury:

Q. It does not matter so much, but the point I was trying to make was the great difference between what you stated, 15 per cent, and the figures shown by the return. I asked you whether it was 15 per cent in weight or numbers and I understood you to say it was about 15 per cent in weight, but 50 per cent in numbers?—A. I should think they would run that, yes.

Q. These are the ones that went into the cans, and as I said before if that continues it is sure and bound to deplete that fishery?—A. That would seem to be the logical conclusion.

By Mr. Loggie:

Q. The point I want to make is that it is not conceded that 15 per cent of the small lobsters are worth \$500,000, and 85 per cent, the live lobsters that are exported, are only worth \$600,000. It is not conceivable?—A. It was not conceivable to me, but when I stated that these large lobsters were all invoiced under the market price, and that the others were a little inflated, I think that explains it.

By Mr. Law:

Q. That might account for the difference?—A. That certainly accounts for the difference in great part.

Q. If that statement is fair and correct, then the statement we have in the returns must be altogether wrong?—A. I can quite understand how difficult it is under the present arrangements for the department to get at actual data. It must be almost impossible, because there is no one officer specially charged with that work.

By Mr. Bradbury:

Q. It should not be published at all, then, because it is misleading?—A. I have nothing to say about that; I know that in some instances the figures are not correct, but it is altogether due to the imperfect way we have of collecting the data. I know of no official who is specially charged with the duty of collecting these figures; I often refer to it in talking and in writing, and express the hope that I shall see the day when that deficiency will be supplied, and when we shall have in the possession of our own officers the information that will enable us to determine whether we are holding our own or whether we are retrograding. I consider that to be a step of primary importance, and when we are in the possession of that knowledge, we shall be able to legislate on lines with a certain knowledge of the effect such legislation will have, whereas at the present time that is not possible.

By Mr. Law:

Q. Instead of taking the data from the custom-house officers, you mean we should have an officer of the Marine and Fisheries Department who would look after the shipments?—A. That is my opinion exactly.

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By Mr. Loggie:

Q. The figures of these canned lobsters are not taken from the export entries, are they?—A. Are they not obtained from the officers of the department?—Because, as a matter of fact, these small canners that you speak of very largely send their lobsters to Halifax, and therefore they could not be properly covered by the export returns?—A. I think there is a Fishery Intelligence Bureau, but let me say, Mr. Chairman—

Q. Do they not have to make returns?—A. Yes, and they do so. They have what they call a reporter in the various localities, or in a great many of them, and that reporter is required at the end of the year to make returns to the officer at Halifax of the number of cases put up in the canneries, and I have supposed that these reports were used to compile the returns. However, these figures were not always reliable. Of course, in making up the amounts the person who has the work in charge is somehow guided by the information furnished by his Fisheries Intelligence Bureau, and they have gone to some pains to get the information. The officer of the bureau sends in a report weekly giving a statement as to the occurrence of the different kinds of fish in that particular section during the week. That kind of information is found to be quite useful. Now at the end of the season there comes a request for him to write a similar report and to include in it certain statements in regard to the packing of lobsters, and I have always seen these reports made out by persons who are not very conversant with the actual state of affairs. I could not say right offhand that they were not, but it seems to me impossible in every case for the reporter to escape the temptation of saying, 'Well, I think it will bear putting down at such and such a figure.' I was not in a position to say that it actually was too large, but if there was anything wrong in these figures relating to that branch of the industry, it may have occurred in that way. Let me say further that last year I had some documents sent to me from a concern calling itself the Boston Fishery Bureau, in which there was a statement which showed on the face of it evidences of great care in its preparation, and I found there an account of the shipment of live lobsters from Nova Scotia and other parts of the maritime provinces, but it did not correspond with our own returns. It showed a much larger quantity.

By Mr. Bradbury:

Q. When the lobsters are shipped to Boston or to the American market does not the customs officer keep track of everything that goes out?—A. Only of the packages.

Q. Do the customs officers know whether there are so many hundred pounds in a package?—A. No, I think not. The commission men take that. All these packages are of uniform size but not of uniform weight; it depends upon the care with which the contents were put in.

Q. At that rate the customs figures are not good authority?—A. I should not consider them an infallible authority although perhaps the best obtainable under present conditions.

By Mr. Law:

Q. I have always understood the department got its figures from the local overseer, that at the end of the season he gathers from the packer the number of cases he packs and sends that into the department, and on that basis the figures are made out?—A. He may do so.

Q. I think that is supposed to be the basis on which they depend for their figures?—A. Possibly so.

Q. But certainly if the values are as indicated either one or the other is wrong, either the \$500,000 or the \$600,000 is wrong?—A. Evidently.

Q. I think it ought to be clearly understood that is the way the department gets its figures, not from the custom house. The latter can only give the figures of the port from which the goods depart?—A. And then only the number of packages.

The CHAIRMAN.—Perhaps Mr. Venning can tell us.

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Mr. VENNING.—According to the law, the canners have got to provide each year a return of the amount of product they pack, and each license contains at its foot this form (holding up document), which is torn off and sent into the fishery overseer, or collected by the overseer, who then sends the information to the Inspectors of Fisheries who compile the statistics of their division.

Mr. BRADBURY.—What about the export of live lobsters?

Mr. VENNING.—That information is collected by the fishery overseer of the district from which these lobsters are exported.

Mr. LAW.—From the customs?

Mr. VENNING.—From the customs or elsewhere.

Mr. NICKERSON.—With regard to the weights I may say that they vary greatly. The weight of the standard crate is 140 pounds and frequently you will find them containing 200 pounds; it depends on the skill and care with which the lobsters are packed. So with the market quotation. That appears as \$10 but my information is it is very frequently \$40.

The CHAIRMAN.—It strikes me, Mr. Venning, that as there are only two ports in Nova Scotia from which live lobsters are shipped to the foreign market, it would be a very easy matter for you to arrange with some officer at Yarmouth and at Halifax to get the exact value.

Mr. VENNING.—There are arrangements made. The inspector in each district has overseers under him who collect these statistics and send them to him. He compiles them for the whole of his district and forwards them to us and they are embodied in the report. So far as the canners are concerned they are bound under the Act under which they get their licenses to send in a return at the end of each canning season. These returns are collected by the overseers of the district.

The CHAIRMAN.—Instead of leaving it to the overseers would it not be better that some officer at the Yarmouth custom house, or some other officer, should get the actual shipment.

Mr. VENNING.—We get that information from the fishery overseers.

By Mr. Warburton:

Q. The discrepancy may be explained in this way considerably more than 15 per cent in weight of the lobsters caught are canned?—A. It may possibly account for some but not a great deal. I observed that the account is kept by cwts. It has always been impossible for me to find out how that computation was made. For example, taking a shipment of 100 crates. Those crates invariably contain more than 140 lbs.

By Mr. Bradbury:

Q. Are those crates not weighed?—A. They are not weighed here, only in Boston.

By the Chairman:

Q. Are the lobsters sold by number?—A. No, they are sold by weight.

By Mr. Law:

Q. The point is, that you value them at \$10 whereas they bring about \$40?—A. Yes, that is often the price of a crate. If that cwt. named in the returns, means a package they sometimes bring \$40 and sometimes a little more, and there is one uniform invoice price for a cwt. in the returns, viz.: \$10 which is manifestly too low.

Q. One hundred pounds make a crate of lobsters?—A. No; 140 pounds is the standard crate, but most of them go nearly 200 pounds now.

By Mr. Jameson:

Q. While on the subject of fishery statistics, I want to ask do you consider the reports of the fishery overseers, showing the quantities and values of fish taken in

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the respective counties, to be accurate?—A. They are not accurate in all cases. For instance, I noticed looking at them the other day, that there is a return from Clark's Harbour of something like 2,500 gallons of fish oil. To my knowledge, no fish livers have been saved there the last five years.

Q. Is there a regular system, within your knowledge, whereby these statistics are collected and compiled?—A. No, not within my knowledge.

Q. Is there not some system by which they are collected at the end of the year?—A. I could not say that there is. Evidently, as Mr. Venning has explained, there was an attempt at a system of collection, but as the fisheries become more complex, it has been found insufficient. I daresay that we have got the best use out of the system that it is possible to get, but the time has arrived now when that business ought to be relegated to some special officer because there is abundant work for him to do, in each province.

Q. Without keeping track of the quantity sent out at the different ports, it would be impossible at the end of the year to state just what the quantities were?—A. I think so.

By Hon. Mr. Brodeur:

Q. Your suggestion would be to have a special officer for that purpose instead of an overseer?—A. Yes.

Q. Could not an overseer do that work?—A. Well, it would be a little difficult for him during the whole season's operations with his other duties. The official in charge of the distribution of fishing bounty would be in about as good a position as any one. That man comes into contact at certain times of the year with almost every practical fisherman, and while he is only required to put down the amount of fish which entitles him to a bounty he seldom makes a statement in regard to all the kinds of fish caught.

By Mr. Loggie:

Q. Does he not draw any bounty for catching lobsters?—A. No, he does not. While the fishing bounty officer is there, he might make the inquiry with regard to all the catch. It would only take him a little longer.

By Mr. Bradbury:

Q. I understand that these live lobsters are all exported to the United States market?—A. Yes, they are all exported there from the west. Some small lots go to central Canada from the east.

Q. It surely cannot be difficult for the department to discover how many lobsters have been exported from our country. Our custom house officers are at the points from which the lobsters are sent. Surely those would be the proper places to get the information?—A. They could find out the number of packages but not their weight.

Q. These packages ought to be weighed then?—A. They are weighed in Boston.

Q. Why not weigh them before they leave our ports?—A. That would necessitate the employment of a large number of men, and cause too much delay in shipping.

Mr. LAW.—It could not be done very well at Yarmouth. The boats come in with the lobsters before the Boston boat sails and no sooner do they get their lobsters aboard than the steamer is off. They maintain very close connection.

By Mr. Bradbury:

Q. Well, if I understand the position aright, we have not a correct idea of the amount of lobsters that is exported?—A. The departmental estimate I should say is an approximate one; but in my opinion, it is too low in value.

By Mr. Warburton:

Q. If the crates were of the same size, even though the pickers were not all equally as deft, would not the count in the number of cases, each weighing so much, be practically sufficient?—A. They vary so greatly in weight that even if we had an

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accurate count of the number of packages it would furnish no criterion as to the quantity exported, or a **very uncertain one**.

Mr. KYTE.—Possibly it would be a good idea for this committee to meet in Halifax when the representatives of the Fishermen's Union are there and interrogate them as to this particular question of the lobster industry and so gather useful information. I do not know whether it would be practicable for us to go around during the summer and take evidence.

Mr. McKENZIE.—We want to discuss that matter. The honourable minister suggested that we should go to different parts of the province and take evidence. That is a first class idea. I do not know whether the committee would be able to give the necessary time to go all over the provinces, but if the stations of your Fishermens' Union knew they were to meet this sub-committee in Halifax, they could so arrange their delegations as to send their best men to Halifax, there to meet this committee and present to them whatever facts they might want to communicate to the committee?—A. I think they would be glad to do so, and I also think it would be an expeditious way of getting some data which we desire to have.

By Hon. Mr. Brodeur:

Q. If it is decided that this committee cannot sit during recess, could not the Fishermens' Union arrange to send somebody else up here next year to give evidence in their name?—A. That might be possible, yes.

Q. Who would cover the different districts interested?—A. In the meantime I am sure all the stations would interest themselves and would be as careful as possible in collecting information.

Mr. McKENZIE.—If we could have two or three days in Halifax, we could collect a great deal of information there.

Mr. BRADBURY.—What power would the sub-committee have to meet during recess?

Hon. Mr. BRODEUR.—It would require a special order of the House.

By Mr. Jameson:

Q. Have you a list of the different stations with you?—A. No, I have not.

Q. Can you furnish a copy of them to the committee? You might file a copy within a few days. It is advisable that we should have a list because it is possible that the whole of the districts may not be covered by the stations of the Fishermens' Union?—A. This organization extends from Digby county to the northern part of Cape Breton. It includes the whole of the coast.

By the Chairman:

Q. Will you furnish us with a list of those stations and the name and address of the secretary of each?—A. I will do so at the earliest possible moment; but I am afraid I could not do so just now.

Witness discharged.

Committee adjourned.

LETTER FROM MR. NICKERSON.

The following letter was received by the Chairman from Mr. M. H. Nickerson, after he had left the witness stand:—

J. H. SINCLAIR, M.P.,

Chairman Fisheries Committee,

House of Commons, Ottawa.

SIR,—In my evidence before your committee, while dealing with the apparent discrepancy between the quantity and value of canned lobsters and those exported

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alive, as given in the departmental report, it escaped me for the moment that a large number of the latter class is sold by count to the American smacks every year, and taken out of the country, of which there seems to be no entry in the official returns. This accounts for the discrepancy.

Your obedient servant,

(Signed) M. H. NICKERSON.

EXTRACTS from Letter, President Fishermen's Union, Nova Scotia: 'The Cannery License.'

In regard to the Cannery License Act, we claim that the same should be immediately repealed, that hereafter licenses be granted to any person or persons that can show the government that they possess the necessary capital and experience to conduct the canning of lobsters successfully.

Protection of Seed or Berried Lobsters.

The question of protection to seed or berried lobsters is one that ought to engage the serious attention of the government. At the present time there is a wanton destruction of the above-named valuable fish, which if continued in much longer must end in the total destruction of the industry, and in a corresponding loss to the business and revenue of the country.

It is true that the government has spent during recent years large sums of money, with a view of propagating and perpetuating the lobster species. It is also true that it is quite possible to propagate lobsters by artificial means, but it is extremely doubtful that few if any of the species thus propagated ever reach the adult stage. Now the fishermen of the East coast of Cape Breton from Little Lodaine to Point Accomie in the County of Cape Breton, have during the last two years reached an understanding between themselves to protect the seed lobsters that may be caught by them during the fishing season, by liberating the said seed lobsters directly on the ground from whence taken. In this way, the said lobsters are allowed to remain in the natural spawning ground until such time as the lobster propagates its species in the natural order. We are of the opinion that if all the fishermen of Nova Scotia would follow the lead of their Cape Breton brothers of the calling in regard to the protection of seed lobsters it would solve this much exploited question and relieve the government and those immediately depending on the lobster fisheries for a living of any further anxiety as to the possible destruction of the same. Now I may remind you that the Grand Council of the Fishermen's Union of Nova Scotia at its two last conventions, 1907 and 1908, strongly recommended to the government the proposition of the purchase of all seed lobsters at 8 cents per lobster, direct from the fishermen, and the return of the same at once to the ground from which taken.

THE SIZE LIMIT.

Owing to the fact that the average proportion of small lobsters is much greater in the waters of the Northumberland Straits and the Island of Cape Breton than on the south and west coast of Nova Scotia, it is highly desirable to reduce the present size limit from 8 to 7 inches.

TIME LIMIT.

The present time limit for catching lobsters on the Island of Cape Breton should be continued, viz.: the season begins the first day of May and ends the 31st July, but owing to the drift ice being on the coast in the early part of May the fisherman seldom gets his traps out before the 15th May, and never earlier than the 10th May any year. In 1904, the first traps were set on the 23rd May of that year. Two years later, 1906, the fishermen did not get their traps out until the 16th June. It can thus be seen that our fishermen in any season have only two months and twenty days at

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most, and some years not more than two months not allowing for time lost in consequence of bad weather. I would, therefore, strongly recommend that the present time limit for the above named part of the coast of Nova Scotia and the Island of Cape Breton be continued.

RESOLUTIONS ADOPTED BY STATIONS—FISHERMEN'S UNION.

Resolution passed at meeting of station No. 2 Fishermens' Union at Little Harbour, March 13, 1909.

Whereas in our opinion the catching and canning of lobsters under nine inches has been the means to a large extent of depleting the supply on the coast of Nova Scotia and the canning of small lobsters is unprofitable as well as destructive;

And whereas we believe that a large quantity of canned lobster put on the markets is packed from lobsters under nine inches in size therefore causing the supply to exceed the demand resulting not only in a big drop in price but leaving a large quantity of last year's pack still on the market unsold therefore causing a dull sale;

We, therefore, recommend that no berried or other lobsters under nine inches be sold or packed and that the regulation in these respects be strictly enforced.

Also that any man or any parties receive a license who would operate a properly established cannery.

Also in our opinion the season for fishing could not be changed for the better.

As to pounds and hatcheries that the committee decide that question according to their own judgment.

(Signed) D. L. RUEGEN,

President.

C. H. SWIM,

Secretary.

We, the members of Station No. 14, F. U. of N. S., in the County of Queens, recommend that the present lobster law bearing on the size limit be allowed to stand as it is, but that we have a more limited season basing our judgment on the following accounts:—

First, that the size limit if thoroughly followed would protect our waters we believe for years to come, with just possibly a slight decrease in quantity but a gradual increase in value, therefore, offsetting any loss financially to any material extent.

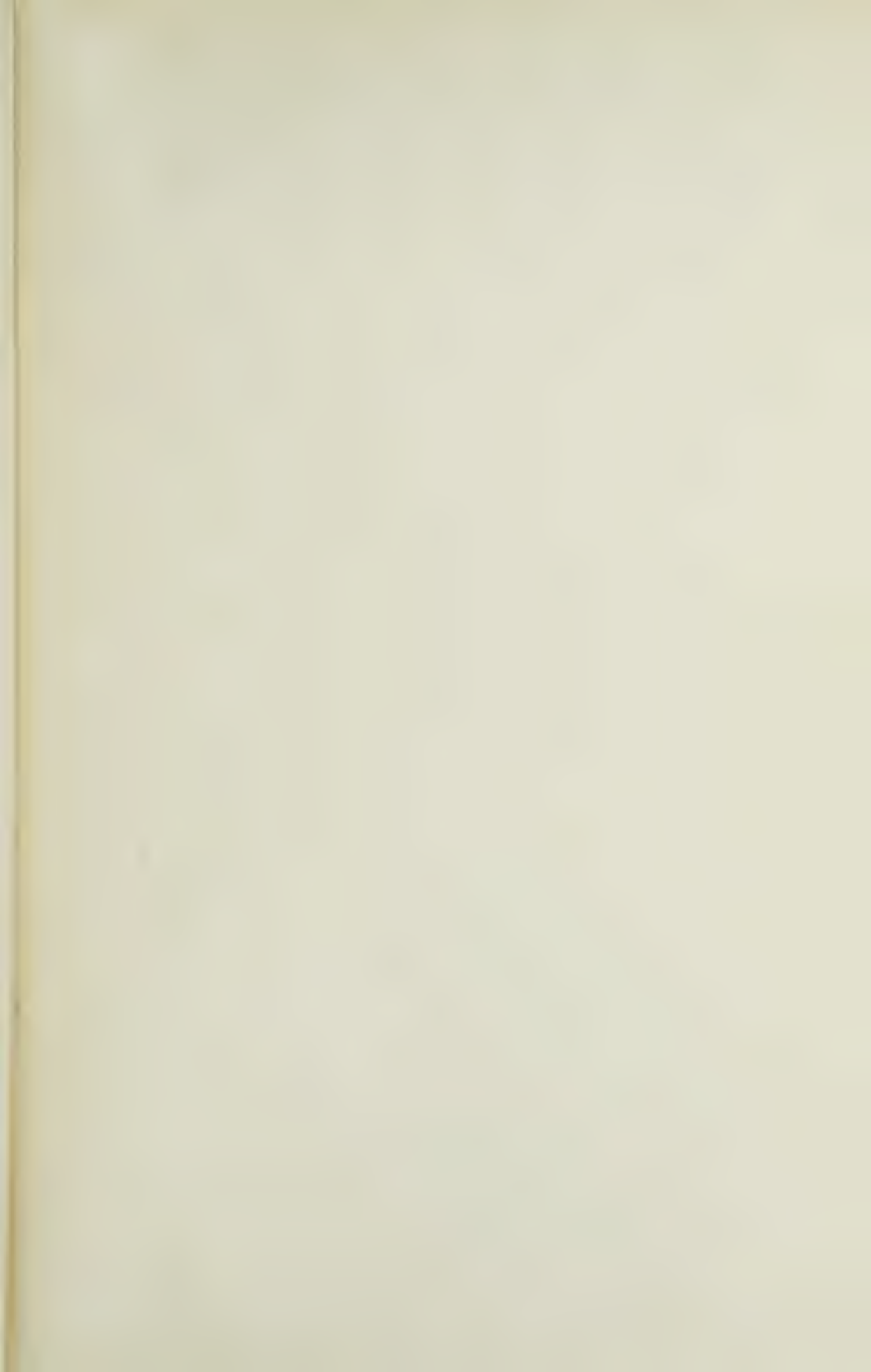
Secondly, but under the present circumstances owing to the lack of officials to fulfil their duties and to the seeming negligence of a large number of fishermen who pay no attention to the law, but wilfully handle illegal lobsters for market use, we, therefore, deem it wise that if the present law cannot be enforced that we have a shorter season thereby giving the lobsters a greater time to mature that being a more certain safeguard for the replenishing of our grounds.

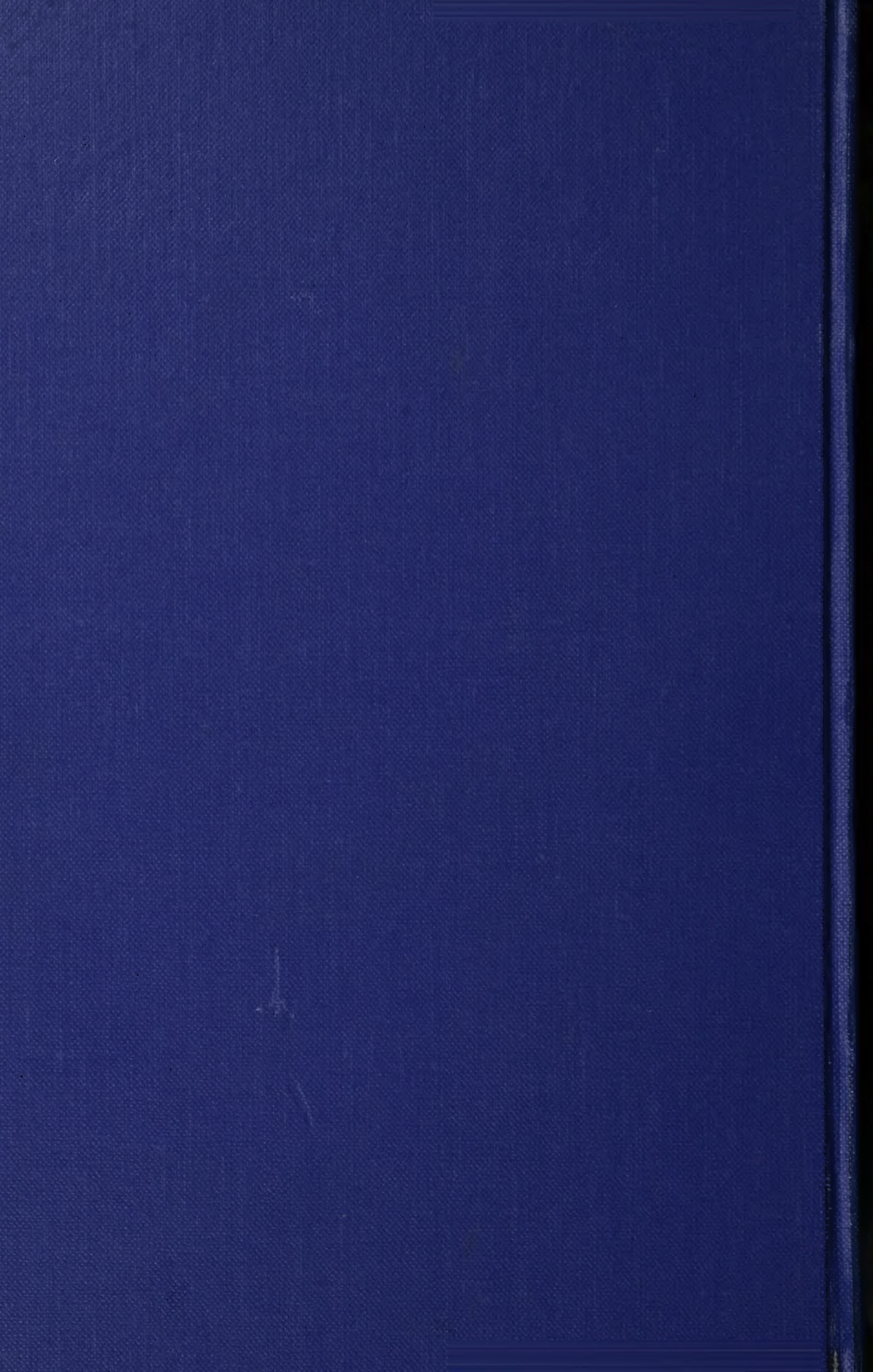
(Signed) WILLIAM J. NAUGLER,

President.

WILLIAM H. HARTMAN,

Secretary.







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